

ONTARIO




COMMISSION APPOINTED TO INQUIRE  
INTO AND INVESTIGATE CERTAIN CHARGES  
OF A CONSPIRACY TO CORRUPT AND  
OF ATTEMPTS TO BRIBE CERTAIN  
MEMBERS OF THE LEGISLATURE



REPORT OF THE COMMISSIONERS



1884



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# REPORT OF THE COMMISSIONERS

APPOINTED TO INQUIRE INTO AND INVESTIGATE CERTAIN CHARGES OF A

CONSPIRACY TO CORRUPT

AND OF

ATTEMPTS TO BRIBE

CERTAIN MEMBERS OF THE LEGISLATURE

WITH

THE EVIDENCE TAKEN AND DOCUMENTS.

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Printed by Order of the Legislative Assembly.

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Toronto :

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1885.



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IN THE MATTER OF AN INQUIRY INTO CERTAIN ALLEGED ATTEMPTS  
TO CORRUPT AND BRIBE CERTAIN MEMBERS OF THE LEGISLATIVE  
ASSEMBLY OF THE PROVINCE OF ONTARIO.

---

COPY OF AN ORDER-IN-COUNCIL APPROVED BY HIS HONOUR THE LIEUTENANT-GOVERNOR,  
THE 12TH DAY OF MAY, A.D. 1884.

Upon the recommendation of the Honourable the Attorney-General and in view of the Address presented by the Legislative Assembly to your Honour praying that your Honour would be pleased to issue a Commission to inquire into and investigate the charges of bribery and conspiracy set forth in the statement made to the said Assembly by the Attorney-General on Monday the 17th day of March, last, and all matters and things which, in the judgment of the Commissioners, relate thereto, or affect the same, such Commission to be directed to three Commissioners who shall be Judges, and one of whom at least shall be a Judge of the Supreme Court of Judicature for Ontario, and to confer upon the said Commissioners all the powers contained or given in, or by Chapter 17 of the Revised Statutes of Ontario, being the Act entitled "An Act respecting Inquiries concerning Public Matters" or in or by any Act amending the same, the Committee of Council advise that a Commission be issued in accordance with the accompanying draft, and that the Honourable William Proudfoot of the High Court of Justice for Ontario, His Honour A. F. Scott, Judge of the County Court of the County of Peel, and His Honour Edmund J. Senkler, Judge of the County Court of the County of Lincoln be named as Commissioners.

Certified,

J. G. SCOTT,

Clerk Executive Council.

The Honourable

THE PROVINCIAL SECRETARY.

---

FROM THE PROVINCIAL SECRETARY TO MR. JUSTICE PROUDFOOT.

TORONTO, 23rd May, 1884.

SIR,—I am commanded by His Honour the Lieutenant-Governor to state for your information that, in compliance with the request contained in an Address presented by the Legislative Assembly of this Province, he has been pleased to direct the issue of a

Commission under the provisions of the Revised Statute of Ontario, Chapter 17 entitled "An Act respecting Inquiries concerning Public Matters" and of 12th May, 1884. 47 Victoria, Chapter 4, to inquire into and investigate the charges of bribery and conspiracy set forth in the Statement made to the said Assembly by the Honourable the Attorney-General on Monday the 17th day of March last, or any attempts to corrupt the members of the said Assembly, and into all matters and things which, in the judgment of the Commissioners, relate thereto or affect the same.

I am further to inform you that the Commission has been addressed to Your Lordship and to Alexander Forsyth Scott, Esquire, Judge of the County Court of the County of Peel, and to Edmund John Senkler, Esquire, Judge of the County Court of the County of Lincoln.

I have the honour to transmit to Your Lordship the Commission, and to request that its receipt be acknowledged.

I also transmit herewith a copy of the Act 47 Victoria, Chapter 4, entitled "An

"Act for the amendment of the Election Law and for the better prevention of Corrupt and Illegal Practices at Elections to the Legislative Assembly," and of "The Votes and Proceedings of the Legislative Assembly, No. 40." dated Monday 17th March, 1884, containing the Statement of the Attorney-General above referred to.

I have the honour to be, Sir,  
Your obedient servant,

ARTHUR S. HARDY,  
Secretary.

The Honourable,  
MR. JUSTICE PROUDFOOT,  
Toronto.

---

FROM THE PROVINCIAL SECRETARY TO JUDGE SCOTT.

TORONTO, 23rd May, 1884.

SIR.—I am commanded by His Honour the Lieutenant-Governor to state for your information that, in compliance with the request contained in an Address presented by the Legislative Assembly of this Province, he has been pleased to direct the issue of a Commission, under the provisions of the Revised Statute of Ontario, Chapter 17, 12th May, 1884, entitled "An Act respecting Inquiries concerning Public Matters," and of 47 Victoria, Chapter 4, to inquire into and investigate the charges of bribery and conspiracy set forth in the statement made to the said Assembly by the Honourable the Attorney-General, on Monday the 17th day of March last, or any attempts to corrupt the members of the said Assembly, and into all matters and things which, in the judgment of the Commissioners, relate thereto or affect the same.

I am further to inform you that the Commission has been addressed to the Honourable Mr. Justice Proudfoot, and to Edmund John Senkler, Esquire, Judge of the County Court of the County of Lincoln, and to your Honour, and that it has been transmitted to Mr. Justice Proudfoot.

I have the honour to transmit to you herewith a copy of the Act, 47 Victoria, Chapter 4, entitled "An Act for the amendment of the Election Law and for the better prevention of Corrupt and Illegal Practices at Elections to the Legislative Assembly," and of "The Votes and Proceedings of the Legislative Assembly, No. 40," dated Monday, 17th March, 1884, containing the statement of the Attorney-General above referred to.

I have the honour to be, Sir,  
Your obedient servant,

ARTHUR S. HARDY,  
Secretary.

His Honour  
JUDGE SCOTT,  
Brampton, Ont.

---

FROM HON. A. S. HARDY TO JUDGE SENKLER.

TORONTO, 23rd May, 1884.

SIR.—I am commanded by His Honour the Lieutenant-Governor to state for your information that, in compliance with the request contained in an Address presented by the Legislative Assembly of this Province, he has been pleased to direct the issue of a Commission, under the provisions of the Revised Statute of Ontario, Chapter 17, 12th May, 1884, entitled "An Act respecting Inquiries concerning Public Matters," and of 47 Victoria, Chapter 4, to inquire into and investigate the charges of bribery and conspiracy set forth in the statement made to the said Assembly by the Honourable the



Attorney-General, on Monday the 17th day of March last, or any attempts to corrupt the members of the said Assembly, and into all matters and things which, in the judgment of the Commissioners, relate thereto or affect the same.

I am further to inform you that the Commission has been addressed to the Honourable Mr. Justice Proudfoot, and to Alexander Forsyth Scott, Esquire, Judge of the County Court of the County of Peel, and to Your Honour, and that it has been transmitted to Mr. Justice Proudfoot.

I have the honour to transmit to you herewith a copy of the Act, 47 Victoria, Chapter 4, entitled "An Act for the amendment of the Election Law and for the better prevention of Corrupt and Illegal Practices at Elections to the Legislative Assembly," and of "The Votes and Proceedings of the Legislative Assembly, No. 40," dated Monday, 17th March, 1884, containing the statement of the Attorney-General above referred to.

I have the honour to be, Sir,  
Your obedient servant,

ARTHUR S. HARDY,  
Secretary.

His Honour,  
JUDGE SENKLER,  
St. Catharines, Ont.

---

EXTRACT FROM "ONTARIO GAZETTE," 24TH MAY, 1884.

PROVINCIAL SECRETARY'S OFFICE,

TORONTO, 24th May, 1884.

His Honour the Lieutenant-Governor has been pleased to make the following appointments, viz:—

The Honourable William Proudfoot, one of the Judges of the Supreme Court of Judicature for Ontario, Alexander Forsyth Scott, Esquire, Judge of the County Court of the County of Peel; and Edmund John Senkler, Esquire, Judge of the County Court of the County of Lincoln, to be Commissioners under the provisions of the Revised Statute of Ontario, Chapter 17, entitled, "An Act respecting Inquiries concerning Public Matters," to inquire into and investigate the charges of bribery and conspiracy set forth in the statement made to the Legislative Assembly of Ontario by the Honourable the Attorney-General on Monday, the 17th day of March, 1884, or any attempts to corrupt the Members of the said Assembly, and into all matters and things which, in the judgment of the Commissioners, relate thereto or affect the same.

Dated at the Office of the Provincial Secretary of Ontario, this 17th day of May, 1884.

ARTHUR S. HARDY,  
Provincial Secretary.

---

MR. JUSTICE PROUDFOOT TO HON. A. S. HARDY.

TORONTO, 28th May, 1884.

SIR,—I have the honour to acknowledge the receipt this day of your letter of the 23rd inst., inclosing a Commission from His Honour the Lieutenant-Governor in Council to myself and Messrs. Scott and Senkler, under the provisions of the Revised Statute of

---

Ontario, Chapter 17, and of the Statute of Ontario, 47 Victoria, Chapter 4, to investigate certain charges therein specified.

I have the honour to be, Sir,  
Your obedient servant,

W. PROUDFOOT.

The Hon. A. S. HARDY,  
Provincial Secretary, Toronto.

---

JUDGE SENKLER TO HON. A. S. HARDY.

ST. CATHARINES, 30th May, 1884.

SIR,—I have the honour to acknowledge the receipt of your letter of the 23rd instant informing me of the issue of a commission under the provisions of the Revised Statute of Ontario, Chapter 17, and of 47 Victoria, Chapter 4, to inquire into and investigate the charge of bribery and conspiracy set forth in the Statement made to the Legislative Assembly of this Province by the Honourable the Attorney-General on the 17th March, last, or any attempts to corrupt the members of the said Assembly; and that said Commission is addressed to Mr. Justice Proudfoot, Judge Scott and myself, and receiving copies of the Act 47 Victoria, Chapter 4, and of the Votes and Proceedings of the Legislative Assembly, No. 40, dated 17th March, 1884, containing the Statement of the Attorney-General above referred to.

I have the honour to be, Sir,  
Your obedient servant,

E. J. SENKLER,  
Judge of the County Court of County of Lincoln.

The Hon. A. S. HARDY,  
Provincial Secretary, Toronto.

---

MR. JUSTICE PROUDFOOT TO HON. A. S. HARDY.

Toronto, 31st May, 1884.

*Re* The Bribery Commission.

SIR,—In prosecuting this inquiry, it will be requisite to have a place of meeting determined, and to have a clerk and a reporter appointed, and a direction given to the sheriff to attend.

Would you be good enough to acquaint me with the intention of the Government in respect to these matters, and also to whom the conduct of the inquiry on the part of the Government is committed, as it is intended to have a preliminary public meeting, shortly, to appoint a time for proceeding with the inquiry, and to regulate the mode of procedure.

I have the honour to be, Sir,  
Your obedient servant,

W. PROUDFOOT

The Hon. A. S. HARDY,  
Provincial Secretary, Toronto.

MR. JUSTICE PROUDFOOT TO HON. A. S. HARDY.

Toronto, 10th January, 1885.

SIR,—I have the honour to transmit herewith the Report of the Commissioners appointed to inquire into and investigate certain charges of Bribery and Conspiracy by a Commission, dated the 12th day of May last; and also the evidence and documents taken and used before the Commissioners.

I have also the honour to transmit a memorandum made by His Honour Judge Scott, containing his reasons for declining to give an opinion or finding as to offences proved. He did not desire this memorandum to form part of the report, but wished it to be transmitted with the other papers, to be produced if called for.

I have the honour to be, Sir,

Your obedient, humble servant,

W. PROUDFOOT,

Chairman.

The Honourable A. S. HARDY,  
Provincial Secretary, Toronto.



# COMMISSION OF INQUIRY

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IN THE MATTER OF AN INQUIRY INTO CERTAIN ALLEGED ATTEMPTS  
TO CORRUPT AND BRIBE CERTAIN MEMBERS OF THE LEGISLATIVE  
ASSEMBLY OF THE PROVINCE OF ONTARIO.

---

JOHN BEVERLEY ROBINSON.

---

[L.S.]

PROVINCE OF ONTARIO.

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VICTORIA, *by the Grace of God, of the United Kingdom of Great Britain and Ireland,  
Queen, Defender of the Faith, etc., etc.*

To the Honourable WILLIAM PROUDFOOT, one of the Judges of Our Supreme Court of  
Judicature for Ontario, ALEXANDER FORSYTH SCOTT, Esquire, Judge of the County  
Court of the County of Peel, and EDMUND JOHN SENKLER, Esquire, Judge of the  
County Court of the County of Lincoln.

O. MOWAT, }  
Attorney-General. } **W**HEREAS, the Honourable Oliver Mowat, our Attorney-General  
for the Province of Ontario, and a Member of the Legislative  
Assembly of the said Province, did on the seventeenth day of March, one thousand eight  
hundred and eighty-four, in his place in the said Legislative Assembly, state that he was  
credibly informed and believed that divers persons named by him, including Christopher  
W. Bunting, John A. Wilkinson, Edward Meek, F. S. Kirkland and one Lynch, had  
entered into a conspiracy to accomplish the defeat of the Government in the House,  
meaning thereby the said Legislative Assembly, by corrupting members of the said House  
to vote against the Government and Government measures; that the first named three  
persons were well known and active members of the party in this Province opposed to the  
said Government; and that the last named two persons were American citizens; that for  
the purpose of corruptly influencing the votes of members of the said House, the said five  
persons had at divers times, during the session of the Legislature of Ontario then being  
held, approached several members of the said House with money, offers of money, promises  
of offices in the gift of the Dominion Government, and promises of other personal advan-  
tages to such members; that divers members of the said House so approached, being indig-  
nant at the criminal conduct proposed to them, had deemed it to be the fitting course on  
their part, and a duty to their constituents and the public, acting therein with the advice  
and approval of members of the Government, to seem for a time to entertain such  
approaches, in order to the detection, exposure and punishment of the persons guilty of  
making such corrupt attempts, and had in pursuance of their duty, from time to time dis-  
closed to members of the Government the approaches from time to time made to them,  
and the several acts therein of the guilty parties; that among the members of the said  
House in regard to whom such corrupt attempts had been made, were, Mr. Robert McKim,  
member for the West Riding of Wellington, Mr. William D. Balfour, member for the

South Riding of Essex, and Mr. John F. Dowling, member for the South Riding of Renfrew; that in carrying out the objects of the Conspiracy, the said Wilkinson, to influence the vote of the said McKim, had repeatedly offered him money and had at length delivered to the said McKim one thousand dollars; that the said McKim, immediately on receiving the money had placed it in the hands of the Speaker of the said Legislative Assembly to be by him produced to the said House; that both the said Wilkinson and the said Bunting for the same corrupt purpose, had undertaken to pay to Mr. McKim a further sum of one thousand dollars on a future day; that the said Bunting was a party to the payment of the former sum, and to the promise to pay the latter sum for the corrupt purpose already stated; and that to secure the same corrupt object the said Wilkinson and Bunting had further offered and undertaken that the said McKim should be appointed Registrar at Edmonton in the North-West, with a salary of one thousand dollars a year; that both the said Wilkinson and the said Bunting had assured the said McKim that the Dominion Minister of the Interior had pledged to them his word that their said promise of the said office would be carried out, and that the said Bunting on his own part had pledged his word to the same effect; that for the same corrupt purpose already mentioned and to influence the vote of the said William D. Balfour, the said Wilkinson had repeatedly offered to pay, and did on the seventeenth day of March aforesaid deliver to the said Balfour the sum of eight hundred dollars in cash, and had undertaken to pay a further sum of seven hundred dollars on a future day; that for the same purpose the said Kirkland had also offered to pay to him the sum of twelve hundred dollars; that immediately on receiving the said sum of eight hundred dollars, the said Balfour placed the same in the hands of the said Speaker to be by him produced to the said House; and that to further secure the same purpose, the said Wilkinson had undertaken that the said Balfour should be appointed by the Dominion Government to a Registrarship at Regina in the North-West; that the said Wilkinson for the corrupt purpose already mentioned and to influence the vote of the said John F. Dowling, had offered him 'the sum of two thousand dollars cash, and to pay him a further sum of two thousand dollars at a future period; that the sum so offered to be paid down was exhibited to him by the said Wilkinson; and that there was reason to believe that other corrupt offers had been made by the said Conspirators to, and rejected by other members of the said House.

AND WHEREAS the said Legislative Assembly did upon the said seventeenth day of March refer the said charges and matters mentioned and set forth in the said Statement of the said Attorney-General to the Standing Committee of the said Legislative Assembly on Privileges and Elections, with instructions to inquire and report thereon.

AND WHEREAS, the said Committee, after commencing their Inquiry in respect of the said charges and matters, reported to the said Legislative Assembly that the Committee was of opinion that it would be impossible during the remainder of the then current Session of the said Assembly to fully and fairly conclude the investigation, and recommended that such steps should be taken as would secure, through a Commission composed of Judges, a full and searching investigation into all the matters and charges aforesaid.

AND WHEREAS, the said Committee was thereupon discharged by the said Legislative Assembly from any further action or proceeding in respect of the said Inquiry,

AND WHEREAS, the said Legislative Assembly afterwards presented to the Lieutenant-Governor of Our said Province an address praying that he would issue a Commission to inquire into and investigate the charges of bribery and conspiracy set forth in the Statement aforesaid of the said the Honourable the Attorney-General, and to inquire into and investigate all matters and things which in the judgment of the Commissioners relate thereto or affect the same, and that such Commission should be directed to three Commissioners, who should be Judges, and one of whom at least should be a Judge of the Supreme Court of Judicature of Ontario; and that the said Commission should confer upon the Commissioners all the powers contained or given in, or by chapter seventeen of the Revised Statutes of Ontario, being the Act intituled, "An Act respecting Inquiries concerning Public Matters," or in or by any Act amending the same.

AND WHEREAS, in and by the said Revised Statute it is enacted that whenever the Lieutenant-Governor in Council deems it expedient to cause inquiry to be made into and concerning any matter connected with the good government of this Province, or the con-

duct of any part of the public business thereof, or the administration of justice therein, and such inquiry is not regulated by any special law, the Lieutenant-Governor may by the Commission in the case confer upon the Commissioners or persons by whom such inquiry is to be conducted the power of summoning before them any party or witnesses, and requiring them to give evidence on oath orally or in writing (or on solemn affirmation, if they be parties entitled to affirm in civil matters), and to produce such documents and things as such Commissioners deem requisite to the full investigation of the matters into which they are appointed to examine, and that the Commissioners shall then have the same power to enforce the attendance of such witnesses and to compel them to give evidence as is vested in any Court of Law in Civil Cases.

AND WHEREAS, by "The Election Law Amendment Act, 1884," it is enacted, that the "Act respecting Inquiries concerning Public Matters" shall be deemed to apply to any attempts or alleged attempts to corrupt the successful candidate at elections to the Legislative Assembly of Our said Province, or members of the Legislative Assembly after their election, whether such attempts were made before or subsequently to the passing of the said "The Election Law Amendment Act, 1884," and notwithstanding that the persons charged with such attempts may be liable to criminal prosecution in respect thereof, and notwithstanding that criminal proceedings against them may have been commenced or concluded, and that the Commission may be issued, authorizing an inquiry into any such attempts as aforesaid, and that such Commission need not minutely specify the particular matters of inquiry.

AND WHEREAS, Our said Lieutenant-Governor in Council deems it expedient to accede to the request of the said Legislative Assembly.

Now KNOW YOU that we having and reposing full Trust and Confidence in you the said the Honourable William Proudfoot, Alexander Forsyth Scott, and Edmund John Senkler, Do hereby, and with the advice of our Executive Council of Our said Province, appoint you, the said the Honourable William Proudfoot, Alexander Forsyth Scott, and Edmund John Senkler, Our Commissioners to inquire into and investigate the charges of Bribery and Conspiracy aforesaid, or any attempts to corrupt the members of the said Assembly, and all matters and things which in your judgment relate thereto or affect the same.

AND WE Do hereby confer upon you, Our said Commissioners, full Power and Authority to summon before you any party or witnesses, and require him or them to give evidence on oath orally or in writing (or on solemn affirmation if he or they be party or parties entitled to affirm in civil matters), and to produce to you, Our said Commissioners, such documents and things as you may deem requisite to the full investigation of the matters into which you are appointed to examine, together with all and every other power and authority which are in the said "Revised Statute respecting Inquiries concerning Public Matters," mentioned and authorized to be by Us conferred, or which may under any statutory or other authority be by law given to you in the premises.

AND WE so require you Our said Commissioners forthwith after the conclusion of such Inquiry to make full report to Our said Lieutenant-Governor touching the said investigation, together with a return of all evidence taken by you thereon.

To have, hold and enjoy the said office and authority for and during the pleasure of Our said Lieutenant-Governor.

IN TESTIMONY WHEREOF, we have caused these Our Letters to be made Patent and the Great Seal of Our said Province of Ontario to be hereunto affixed.

Witness, the Honourable John Beverley Robinson, Lieutenant-Governor of Our Province of Ontario, at Our Government House in Our City of Toronto, in Our said Province, this twelfth day of May, in the year of Our Lord one thousand eight hundred and eighty-four, and in the forty-seventh year of Our Reign.

By command,

ARTHUR S. HARDY,  
Secretary.

Recorded 27th May, 1884.  
JOHN F. C. USSHER,  
Deputy Registrar.



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*EVIDENCE AND PROCEEDINGS BEFORE THE COMMISSION.*

---

OSGOODE HALL, TORONTO, July 14th, 1884.

The Commission met in the lower Chancery Court-Room at twelve o'clock noon.

Present:—The Chairman, Mr. Justice Proudfoot; Mr. Judge Seukler, and Mr. Judge Scott.

Mr. S. H. Blake, Q.C., and Mr. William Johnston appeared for the Crown; Mr. Edward Meek appeared on his own behalf; Mr. Thomas Caswell appeared for Frank S. Kirkland.

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THE EVIDENCE.

CHARLES CLARKE, called by Mr. Blake, and sworn:

*Q.* You are Speaker of the Legislative Assembly of the Province of Ontario?

*A.* I am.

*Q.* And were so during the last Session?

*A.* Yes.

*Q.* Were certain papers given into your hands as Speaker of the Assembly?

*A.* They were.

*Q.* Have you got those papers with you?

*A.* I have (producing them); these were given to me by Mr. Harcourt, a member of the House and Chairman of the Committee on Privileges and Elections.

*Q.* These were all that were given to you?

*A.* These two; there are two different lots,

*Q.* Why do you keep them separate?

*A.* Because some papers were taken from the person of Mr. Kirkland and others from the person of Mr. Wilkinson.

*Q.* Just identify which were taken from the person of Mr. Kirkland and which from Mr. Wilkinson?

*A.* One letter addressed to Mr. Wilkinson was taken from the person of Mr. Wilkinson; the papers in the envelope (Exhibit A) were given to me as having been taken from Mr. Wilkinson, and these (Exhibit B) as having been taken from the person of Mr. Kirkland.

*Q.* They were given to you as Speaker?

*A.* Yes, by the Chairman of the Committee on Privileges and Elections, and they have remained in my possession as Speaker.

Q. And you produce them now?

A. In accordance with the subpoena.

Q. That is, three papers in "A" and five in "B"?

A. Yes; "C" is the enclosure in which they were both given to me.

Q. There were certain other papers given to yourself, were there not?

A. There were two letters given to me, one by Mr. Robert McKim, member for West Wellington, and the other by Mr. Balfour, another member, representing South Essex.

Q. Have you those papers?

A. Yes (producing them); this is the letter from Mr. McKim (Exhibit "D"), with ten bills of \$100 each.

Q. This envelope "D" was given to you by Mr. McKim, and it then contained the bills that are here—ten bills of \$100 each on the Bank of British North America?

A. Yes; these were given to me on the 17th of March last.

Q. Was that the enclosure?

A. Yes, that was the outer envelope.

Q. Is this your writing on it: "Received from Robert McKim on the 17th of March, 1884"?

A. Yes.

Q. And that outside envelope (Exhibit "E") was put on by you?

A. No, the envelope was presented to me enclosing these letters; this is the outer covering of the letter from Mr. Balfour, enclosing eight \$100 bills on the Bank of British North America (Exhibit "F"), presented to me on the 17th of March.

Q. On the 17th of March both of these were received by you?

A. Yes.

Q. Do you recollect the hour at which you received them?

A. I received the one from Mr. McKim about one o'clock in the day, and the one from Mr. Balfour about three o'clock in the afternoon.

Q. What did you then do with the moneys you received?

A. I opened the outer envelope, and I saw endorsed on the inner one the words, "This envelope is not to be opened until requested by the Attorney-General"; I was not informed of the contents of the envelope.

Q. So you retained it?

A. I retained them until that night.

Q. And did he request you?

A. The Attorney-General rose in his place and requested me in the chair to open this envelope; I did so, and found the contents as I have placed them in your hands.

Q. And you did with Mr. Balfour's what you did with Mr. McKim's?

A. Yes.

Q. You opened them on the same evening at the request of the Attorney-General?

A. Yes, opened them in the House.

Q. What has been done with these envelopes?

A. They have been in my custody; they were produced in the Police Court and also in the House before the Committee on Privileges and Elections.

Q. When you opened these envelopes you found the money in them?

A. I found the money as presented before the Commission now, with the letters as now presented before the Commission.

Q. And they are the same bills and letters?

A. The same as those which I received.

Q. Do you know a person of the name of Wilkinson?

A. I am not acquainted with him personally, though I met him on a platform.

Q. On what platform?

A. A political platform—I met him at a political meeting at one time.

Q. Have you noticed him at the House?

A. I have not.

Q. What was the day the House first met in January?

A. I think it was the 13th of January, or later; I am not positive as to the date.

MR HECTOR CAMERON.—I was not in Court at the beginning of the proceedings, but I understand that your Honours then asked if any of the parties named in the Commission as being implicated in this matter were present or represented. I have been instructed by Mr. Foster, who has acted as Solicitor for Mr. Bunting, one of the parties in a certain criminal proceeding now pending against him, to appear and state to the Court that having been served with a notice, Mr. Foster thinks it is his duty out of respect to the Court to appear and state that although he has acted as Mr. Bunting's Solicitor in the criminal proceeding, he has no instructions to appear before this Commission; that Mr. Bunting, since the issue of this Commission, has been in England; that he has had no communication with Mr. Bunting on the subject, and that he therefore calls the attention of the Commissioners to the fact that notice of the proceedings has not been served upon Mr. Bunting, the notice having been served upon a person who has no authority to appear in this proceeding for Mr. Bunting; I do not therefore appear or take any action in the matter on Mr. Bunting's behalf; what course Mr. Bunting may take when he returns, if he returns before the enquiry is ended, I am not certain; I merely call attention to the fact that the notice has been served on Mr. Foster for Mr. Bunting, and that Mr. Foster has no authority to appear on his behalf.

THE CHAIRMAN.—When the Commission met in June, suggestions were asked from the Counsel present, as to the time that would be most convenient to proceed with the inquiry. Mr. Foster was then present, and I believe Mr. Cameron also.

MR. CAMERON.—Merely as a spectator.

THE CHAIRMAN.—At the meeting of the Commission in June, the best we could do was to fix the time for the investigation to begin, and we gave what we thought was ample notice. It may be, that if Mr. Bunting has not had proper notice, no action can be taken upon the report of the Commission until his return.

MR. CAMERON.—I might appear, but that grave doubts exist in my mind as to the jurisdiction of your Honours in the matter, and I have advised Mr. Foster not to appear for Mr. Bunting unless expressly instructed by him to do so, and also because an indict-

ment is now pending against Mr. Bunting on the same charges that are at issue in this inquiry. The doubt, a serious doubt, which I have, arises from the fact that the Act of last Session, in reference to inquiries of this character, as originally published and printed, as read the third time, contains the clause in reference to these inquiries as number 45. and the subsequent clause, number 46, specially provides that the preceding sections of the Act apply only to future elections to this Assembly or to any subsequent Assembly and to proceedings therein or growing out of the same.

Mr. BLAKE.—I do not think we should have an argument upon this matter.

Mr. CAMERON.—I am not arguing. I am calling attention to a fact, and with that my functions end. This clause 46 is quite manifest as to the jurisdiction of your Honours, and this amending Act of last Session would not apply to the present inquiry. Subsequently, I am informed, another edition of the *Gazette* was issued, stating that certain clerical errors had been published in the Act, and transposing these two clauses, the transposition of which would give your Honours jurisdiction. I have therefore advised Mr. Foster not to appear for Mr. Bunting without express instructions from him, and I content myself with calling your Honours' attentions to these reasons why we do not appear.

Mr. BLAKE.—I think I may be allowed to say that my learned friends have, under protest of course, subpoenaed Mr. Gillmor, the Clerk of the Assembly, Mr. Sydere, the assistant Clerk, and Mr. Notman the Queen's Printer, no doubt to give evidence as to this clerical error, and I presumed, from these gentlemen not being present, that it had been found that it is a clerical error. As to Mr. Bunting not receiving notice, there is nothing to show that Mr. Bunting was not aware on the very day that your Lordships notified the public, that evidence would be taken on the 14th of July, and as a matter of fact, I believe his departure from this Province was at a date subsequent to that.

Mr. CAMERON.—I have stated that Mr. Bunting left this Province not only before the first meeting of the Commission in June, but before the Commission was issued and made public.

Mr. MEEK.—I take the same objection as that raised by Mr. Cameron. The witnesses Mr. Blake has mentioned as having been subpoenaed, were not subpoenaed by me. I merely mentioned their names as witnesses as to the transposition of those two clauses, and they were subpoenaed by the Crown. I have made every kind of enquiry I could make for the original bill, but I have not found it. I suppose it is on the original roll of the Assembly. It is merely a question of what the original roll contained. If it is found that the clauses have been erroneously printed in the last issue of the *Gazette* then I suppose we would have no jurisdiction.

Mr. CAMERON.—I suppose it is a question as to how the bill was read the third time by the Assembly.

The CHAIRMAN.—I think that has nothing to do with the matter. The question is how the Act appears on the Assembly roll.

Mr. CAMERON.—I wish to state that Mr. Bunting and his Solicitor have served no subpoenas and have taken no part in this matter.

Mr. W. R. MEREDITH.—I appear as a member of the Assembly. I desire to know if I can cross-examine witnesses, and the fact that persons charged are not represented by Counsel will, if your Honours will permit me to appear, throw a greater burden upon me than I expected would be the case. If therefore you determine that I can appear, I would ask, that after the cross-examination of Colonel Clarke, the inquiry be adjourned until tomorrow, in order to enable me to prepare for the examination more fully than I am prepared to-day.



Mr. BLAKE.—We have no objection to Mr. Meredith appearing, but I submit that he must appear as a Counsel for somebody interested in the inquiry. Otherwise he represents nobody, but he appears here—I do not say it offensively, as an interloper. Personally, I have not the slightest objection to my learned friend appearing, but he must appear in the way I have stated. I understand that the persons implicated can appear personally as a matter of right, or can be represented by Counsel, but no one can appear otherwise.

Mr. MEREDITH.—In reply to what Mr. Blake says, I might say that the history of the appointment of this Commission is to be materially considered. We know that this matter was originally relegated to the Committee on Privileges and Elections. As that Committee had not sufficient time to complete the inquiry, it unanimously resolved to recommend to the House that a Commission should be appointed composed of at least one Judge of the Superior Court, who could act as the Committee of the House had acted. I contend therefore that this Commission is virtually a continuation of the Committee. Now, it seems to me that the Commissioners must look at the fact that there are two political parties, and that one of these political parties is largely interested in the conduct of this inquiry, and in frustrating a full inquiry into all the circumstances. The members of the Government, whom many believe to be implicated in the acts to be investigated by the Commission, are members of that party. Now, that party, as represented by the Government, has instructed counsel to appear here. I submit that it would be extremely unfair that there should not be an opportunity for somebody representing the opposite side to appear before the Commission in order that the investigation of this matter might be made down to the bottom, and that whoever is interested directly or indirectly in the proceedings which are the subject of this inquiry should be brought to justice in the proper way. I submit therefore, in view of the history of this case, that as a member of the Assembly I am entitled here to the same privileges to which I would be entitled before the tribunal which had the matter in hand before this Commission was instituted.

The CHAIRMAN.—So far as I am personally concerned I know no party in this investigation whatever. It is an investigation directed to be held by the unanimous vote of the House of Assembly, and therefore the question of party does not come in. I shall be glad to have Mr. Meredith here, but it appears to me that he cannot appear for any political party. He may appear for any person charged, or if any person chooses to formulate a charge against any other person he may appear as representing that person; but it would seem to me to be out of the ordinary course to have him appear as representing one of the political parties in the House.

Mr. MEREDITH.—I do not put it as representing one of the political parties, but as a member of the House. That was merely an incidental expression to indicate that in my opinion the public would not be satisfied unless both sides were represented before the inquiry.

Mr. BLAKE.—I merely say that that is a very incorrect illustration. I do not appear here as the representative of any political party; I have been requested to appear as representing the Crown. Anyone connected with the inquiry in any way has a right to appear or to be represented here; but to say that each member of the Assembly is to be allowed to appear here and give his views is something unprecedented.

Mr. MEREDITH.—Perhaps the Commission will bear with me. Certain charges have been published implicating certain members of the Government, and I say that counsel instructed by that Government cannot be expected to probe these charges to the bottom, so far as their own conduct is concerned. In view of the appointment of this tribunal I contend that it would be unsatisfactory to the public that a member of the Assembly should not be entitled to be heard here. If I cannot appear here, I do not know by what right my learned friend appears here. The course which I believe was taken in an analogous case in the Province of Quebec was that the Commissioners themselves conducted the inquiry, and requested counsel to act for the different parties. I can



understand that, but that counsel appointed by the Government, the members of which have to a certain extent been criminated, should conduct the inquiry, seems to me to be a course that is unprecedented and that should not be sanctioned by the Commission under any rules of which I am aware.

The CHAIRMAN (after consultation with his fellow Commissioners).—We shall all be very glad to have the advantage of Mr. Meredith's cross-examination of the witnesses, but we are not unanimous as to the mode in which that should be made. The majority of the Commissioners think that as a member of the House, and ostensibly a member of one of the parties in the House, it would not be proper to allow a cross-examination to take place by Mr. Meredith. We could not in that case refuse every other member of the House an opportunity of speaking and cross-examining witnesses. Such a course would render the prosecution of the Commission valueless, impracticable in fact. If Mr. Meredith chooses to appear for any of the parties who are charged, or if he chooses to formulate a charge for the purpose of more thoroughly probing the whole matter to the bottom, we shall be exceedingly happy to have him then appear and cross-examine unless he does so, however, we think he cannot cross-examine the witnesses.

Mr. MEREDITH.—With regard to the other point, your Honours, as to the proper counsel to conduct the inquiry—I submit whether this inquiry should not be conducted directly under your Honours' control. I do not know under what authority the counsel appear here.

The CHAIRMAN.—I do not think the Commissioners can go beyond the instructions they have received from the Government who have issued the Commission, and the instructions of the Government are that these gentlemen appear to conduct the prosecution.

Mr. MEREDITH.—May I ask whether the instructions were read at the opening of the Commission.

The CHAIRMAN.—No, they were merely instructions from the head of the department that such persons were appointed to be present to prosecute the inquiry.

Mr. MEREDITH.—I submit whether I cannot appear as well as they.

The CHAIRMAN.—They are merely instructed to appear for the Crown.

Mr. MEREDITH.—The original notice is signed by Mr. Johnston as acting on behalf of the Legislature, while the other proceedings are taken by him as acting on behalf of the Crown.

The CHAIRMAN.—I do not know what the original notice was; we are instructed that Mr. Blake and Mr. Johnston are appointed to act for the Crown.

Mr. BLAKE.—I do not want of course to appear here unless the Commission desire to have the assistance of counsel in the matter. As I understand, the course most generally followed is that those should be represented who make the charges and those against whom the charges are made. My learned friend, Mr. Caswell, appears here for one of the parties, and he can employ other counsel if he desires to do so. I understand that your Lordships have decided that there being counsel on one side, there is full liberty for the repellants to have counsel, but that it cannot be that every member of the Assembly can appear here, as that would render the proceedings of the Commission nugatory. I submit that my learned friend cannot appear here unless it is on behalf of somebody against whom definite charges are made.

The CHAIRMAN.—It appears to me there is a difficulty. I do not see how the Com-

mission could have authority to appoint counsel for all the parties charged. We could not appoint Mr. Meredith to represent those parties charged so as to bind them.

Mr. MEREDITH.—I appear here as a member of the Legislature, and I desire that to be well understood. No doubt it would suit the purpose of my learned friends to force me into another position.

The CHAIRMAN.—Then simply as a member of the Legislature we are of opinion that you cannot appear.

Mr. CASWELL.—Supposing the names of other persons arise in the course of the inquiry in addition to those already implicated, will they have a right to be represented by counsel—Mr. Pardee's, for instance.

The CHAIRMAN.—Certainly. Anyone who appears charged with any of the acts we are investigating will have a right to have counsel.

The examination of the witness was then resumed.

The WITNESS.—I would like to correct my answer to the last question by saying the 23rd of January instead of the 13th as the date of the meeting of the House.

By Mr. CASWELL.—Q. How did you receive the papers said to come from Mr. Kirkland?

A. From Mr. Harcourt, Chairman of the Committee on Privileges and Elections.

Q. Have they been out of your possession since you have received them?

A. They have been in the safe of the Parliament Buildings under seal.

Q. Have you allowed them to get out of your possession?

A. I produced them at the Police Court, but not otherwise.

Q. On how many occasions?

A. On one occasion.

Q. Were they produced on any other occasion?

A. On another occasion I sent a messenger for them.

Q. What was his name?

A. David N. Allan.

Q. Once you produced them, and once Mr. Allan produced them, and these were the only times they have been out of your possession since Mr. Harcourt gave them to you?

A. Yes.

Q. Have they been open to the public, so that any one could get access to them?

A. They have been under seal in an envelope.

Q. So that no one could have access to them?

A. I think not. They have been in charge of myself and Colonel Gillmor, and locked in the safe, and I myself signed the envelope in which they were sealed.

By the CHAIRMAN.—It was only when they were produced in the Police Court and before the Committee of the House that they were out of your possession?

A. Yes. I may add that I have examined those documents this morning, and I swear that they are the same documents that were handed to me by Mr. Harcourt.

By Mr. CASWELL.—Of course you do not know where they were, of your own knowledge, before they were handed to you by Mr Harcourt?

A. Oh, no.

CHARLES T. GILLMOR, called by Mr. Blake, and sworn.

Q. You are Clerk of the Legislative Assembly?

A. Yes.

Q. And were during the last session?

A. Yes.

Q. Have you brought with you the records of the proceedings?

A. No.

Q. I thought you were subpoenaed to produce them?

A. I got a subpoena, but there was no direction to produce anything.

Q. Will you kindly get them; it was chiefly to get those papers that we called you?

A. What documents do you refer to?

Q. The various records of the proceedings of the House, showing when it met, the various times at which votes were taken, and also the return of the election petitions of which returns were made to you. Would you kindly get these as soon as you can; this afternoon, if you can?

A. Oh, yes.

Mr. CASWELL.—Also the Act which has been referred to.

Mr. BLAKE.—The original roll of the Election Act; have you got that?

A. Yes.

Q. Could you have those here within half an hour?

A. Yes.

At 1.30 p.m. the Commission took recess until 2 o'clock.

The Commission resumed at 2 o'clock.

Mr. MEEK.—I think witnesses should be called first as to the Act.

The CHAIRMAN.—I think the onus rests on any one complaining of the incorrectness of the printed record to prove that it is not correct. The Crown, I think, would be indulging in a work of supererogation to prove that the Act is correct.

Mr Commissioner SCOTT.—I think Mr. Gillmor is to produce the roll.

Mr. BLAKE.—Yes, my Lord. It was simply to expedite matters that I asked him to produce it.

ROBERT MCKIM, called by Mr. Blake, and sworn.

Q. You were a member of the Legislative Assembly during the last session for the West Riding of Wellington?

A. Yes sir.

Q. And you have been a member of Parliament, I believe, for a considerable number of years?

A. Yes sir.

Q. For how many years?

A. I was elected in 1867, and I was one Parliament out, and one session of another Parliament.

Q. And with those exceptions you have sat continuously from 1867 up to the present time?

A. Yes.

Q. I believe you got into some difficulties in your business?

A. Yes, last fall.

Q. What was the result of your difficulties?

A. I made an assignment.

Q. And all your property by some means passed away from you?

A. Yes, I assigned everything for the benefit of my creditors.

Q. And you were, no doubt, unable to meet your obligations?

A. I was.

Q. Do you know a gentleman of the name of Wilkinson?

A. Yes. I know him.

Q. John A. Wilkinson, I believe?

A. Yes.

Q. When did you first become acquainted with him?

A. It was at the Algoma election last fall, up on one of the boats in the Georgian Bay.

Q. Did you take any part in the Algoma election?

A. I did.

Q. And did Mr. Wilkinson?

A. I believe so.

Q. On which side of politics is Mr. Wilkinson?

A. He talked as if he was on the Conservative side.

Q. Have you any reason to doubt that that is correct?

A. I have not.

Q. In going up on the boat had you any conversation with him?

A. Very little; merely some remarks about the island as we were passing it; we had no further conversation going up, and some person told me that was Mr. Wilkinson.

Q. When had you conversation that was really material.

A. On the boat coming down; it was then that I really became acquainted with him.

Q. Did you and he go into Algoma with the same object?

A. I believe so; he told me he was speaking there in aid of the Conservative candidate.



Q. He was there on the Conservative side, and you in the Reform interest, and both went up on the boat and returned?

A. I took the boat at Collingwood and went to the Sault, and he got off at Manitoulin Island and got on again coming back; we went up together and came down together.

Q. And what was the conversation between you and Mr. Wilkinson so far as it is material to the matter of the Commission?

A. Nothing then at all; I met him afterwards down here on the street, but there was nothing then.

Q. What was the first occasion of your having some material conversation?

A. The first time he told me about the Registrarship was going up on the train between Hamilton and London.

Q. About when was that?

A. It was during the time of the West Middlesex election.

Q. Do you recollect the month?

A. I do not.

Q. That was one of the elections that took place because of the member being unseated?

A. Yes, the present Minister of Education. It was late in the fall.

Q. I am told that it was in the month of December; can you say if that is correct?

A. It would be about that time.

Q. Where were you going?

A. I was going to Bothwell purely on my own business.

Q. And where was Mr. Wilkinson going?

A. He said he was going to take part in the West Middlesex election, and he tried to make me say I was going there also.

Q. He was going for his party, the conservative?

A. I believe so.

Q. What was material in this conversation between you and Mr. Wilkinson?

A. He commenced by saying he was going out of politics in the spring, that he was going to get a Registrarship. He had three of them in view, or rather at his disposal—Calgary, Regina and Edmonton.

Q. And he was going to take one or other of those?

A. Yes, and he was then going to take up a section of land adjacent to his place, and he was going to work the land and drive in and advance his position.

Q. He presented a very pleasant picture to you, and did he ask you take part in it?

A. Not just then. I rather supposed he was preparing something, but he did not say anything—made me no offer. He also said he had some friends who were going to invest \$200,000, and he was to invest this sum for them and get a percentage.

Q. Did he refer to your financial difficulties?

A. He did not know that then. It was not made public.

Q. Then he made no offer to you on this occasion at all?

A. No.

Q. Simply called your attention to these facts which you have mentioned?

A. Yes.

Q. Then did he get off the train before you?

A. We got off together at London, had dinner together at the Western dining-room, and we parted there. I introduced him to Mr. Currie, who used to represent Middlesex. I met him there and introduced him, and then we parted.

Q. When was it you next saw Mr. Wilkinson?

A. The next time was at the Walker House in Toronto, after the House opened.

Q. The House opened, we are told, on the 23rd of January—how long after that?

A. I could not say. It was very shortly after.

Q. Did you ordinarily board at the Walker House yourself?

A. For some sessions I had.

Q. Had you ever met Mr. Wilkinson there before?

A. Yes, on that occasion when we were going up to Middlesex—I saw him on that day.

Q. Had he before this boarded at the Walker House?

A. I never knew him before.

Q. Just relate what passed between you in the Walker House.

A. The first thing he told me was that he was offered some position on the *Mail* staff, or something to do about the *Mail* office, and if he accepted he would be about there most of the winter, but he had not made up his mind to accept; and a short time after he spoke about the defeat of the Government. He commenced by saying that he understood I was in business troubles or business difficulties, and he could put me in a way that would fix me up.

Q. Do you recollect how many days that would be after the 23rd of January?

A. I could not give you the number of days; it was not many.

Q. Did he suggest to you any way in which he could fix you up?

A. Yes; he asked me to come up to his room—we sat at the same table at the Walker House—and then he opened up the conversation. He told me then that he had these offices at his disposal, and that he could get me one of them; he could get me Edmonton; Calgary he intended to take himself, for the reason that he gave as to the investment of money, and he would take a section of land there, and would prefer that.

Q. What was said about the defeat of the Government?

A. He told me repeatedly that there was no doubt about the defeat of the Government and that a Coalition Government would be formed in the interest of the Province, and it would be better for the country generally as it would work with the Dominion Government, and be better all round; and he put up his fingers and said to me, "Do you see that?" "Yes," I said. "Well, that is the number we want to defeat the Government, with the independent members." He counted on all the independent members, and if they got five more they would defeat the Government.

Q. As a matter of fact, would that be the case if he got the independent members?

A. No, I think not. It wanted one or two more.

Q. He stated that the Coalition Government would work in better with the Dominion Government?

A. Yes.

Q. As a matter of fact, had there been a friction between the Local and the Dominion Governments?

A. Yes, of course there was the Streams Bill.

Q. And the license question?

A. And the Boundary Award.

Q. These were matters in which there was an antagonistic view taken by the Dominion Government and the Local Government?

A. These were matters before the country, and we were all discussing them more or less in every election contest, at least I was.

Q. What further passed between you upon that first occasion?

A. He went on then to tell me about the Dominion Government, what they would give with these offices—what went legally with them was \$300, he said.

Q. In what way?

A. I cannot just describe that; but he gave me to understand that there was \$300 for some office that would be fixed up, and my expenses would be paid to Winnipeg.

Q. That is, you would get \$300 to fit up your office, and your expenses to Winnipeg?

A. Yes, and \$1,000 a year of salary until the fees reached \$1,000, and then I would get the fees. When he made me the first offer, it was that in my case, as I needed money, they would make it \$500 instead of \$300. As soon as he made me the definite offer of \$500 and the Registrarship, I told Mr. Pardee that he should be careful and look out and be on the watch, that they were endeavouring to defeat the Government by these means.

Q. What length of time passed between the first seeing of him and the second?

A. Not many hours. I saw him once or twice a day.

Q. Was that on the same day?

A. It might have been on the same day, but if it was not on that day it was the next day.

Q. And what passed between you?

A. He said he had seen them. He spoke of some meeting they were having, and in my case they had come to the conclusion to give me \$1,000.

Q. Was that in place of the \$500?

A. Yes, they were increasing it.

Q. Then the offer was the Registrarship, \$1,000 for your expenses and \$1,000 a year until the fees reached \$1,000, and then you were to take the fees in place of the \$1,000?

A. Yes, that was the offer.

Q. What did you say to that ?

A. I did not say I would take it at all. I saw the Commissioner of Crown Lands again and told him.

Q. And he knew the offer that was made to you ?

A. Yes. I said they were determined to defeat them, and I went back, and then I said I would not take less than \$2,000. That was the first time that I named anything.

Q. That is, \$2,000, was it, in place of the original \$300, or \$2,000 a year ?

A. \$2,000 instead of the \$500, and then the \$1,000 a year that he had offered. He said he had no authority to give that, but he would see them again.

Q. Up to that time had he mentioned to you who the "them" referred to ?

A. No, not up to this time. I asked him who they were. He said, "The Opposition are somewhat similar to the Government ; they have their cabinet secrets, and we cannot divulge them." I did not ask him anything further on that.

Q. Then did he do anything further ?

A. He came back after seeing them, he said.

Q. What did he then say ?

A. He said it would be all right—I would get the \$2,000.

Q. What was the next ?

A. Then we spoke of some agreement. Of course I wanted something more than his word for the fulfilment of all this.

Q. And you asked for an agreement ?

A. No, he wanted to have an agreement, but he told me then that he would give Mr. Bunting's note for \$5,000 ; but before this a little he told me he had written to the Honourable Mr. Macpherson.

Q. For what purpose ?

A.—For a letter to enable him to make this appointment.

Q. Had you asked for that ?

A. No, I did not think anything about it.

Q. That came from Mr. Wilkinson ?

A. He gave it himself voluntarily ; then one night I was going up to the House, and I asked him, "Are you going up ?" and he said, "I never go up to the House for fear of any person seeing me" ; then we walked up to Wellington street together, and he told me he had received a telegram from the Honourable Mr. Macpherson that the letter was on the way, and the next day, I think, he showed me the letter ; then he said they would have to have an agreement binding me to vote with the Opposition and against the Government.

Q. It was he that suggested getting the agreement ?

A. Yes, and this letter of Mr. Macpherson's, and the agreement, and Bunting's note were to be put in an envelope and put into the hands of a third party, and he named Mr. James Goldie of Guelph, and Mr. Bell, the manufacturer there, and he gave me my choice, and I named Mr. Goldie ; he then made an agreement or an arrangement with me ; these were not to pass into my hands ; they were to be held by this party.



Q. Until you had given your vote, and the thing had been consummated?

A. Yes.

Q. Was this the letter he showed you (showing)?

A. That is the letter. (Exhibit G.)

Q. That is "Ottawa, 1st February, 1884. Dear Sir,—I have made up my mind to recommend your appointment as Registrar at Edmonton, N. W. T. Yours very truly, D. L. Macpherson. J. A. Wilkinson, Esq., Toronto." Was this memorandum on when you saw the letter first?

A. No, it was not; I saw him put that on himself.

Q. That is "I name as my appointment to the within mentioned office ———?"

A. Yes. •

Q. You see the date there is the 1st of February, 1884, and the post mark 1st February, 1884, therefore the conversations to which you have referred must have taken place between the 23rd of January and the 1st of February?

A. Yes.

Q. Did you get the note?

A. No sir, I did not; he made an arrangement that I was to meet Mr. Bunting at his room in the *Mail* office.

Q. Was that after that letter was received?

A. Oh yes, he had that letter then. Well, I went according to the arrangement, to the *Mail* building; he gave me full directions where I would find Mr. Bunting's room—Mr. Wilkinson did.

Q. What was the object as mentioned by Mr. Wilkinson for which you were to go and see Mr. Bunting?

A. To get this agreement fixed up and signed, and get the note.

Q. At that time had any agreement been drawn?

A. I saw nothing drawn up until I got to the *Mail* building.

Q. Did you go?

A. I went, and when I got to the hoist, there was a man there who asked me my name.

Q. Do you know who that was?

A. I do not; I told him, and he said, "I will show you the room you are to go to," and he took me to a room that did not follow the direction given by Mr. Wilkinson.

Q. And whom did you see there?

A. Mr. Wilkinson and Mr. Edward Meek together.

Q. What then passed between you?

A. They had an agreement drawn up, and they read it over to see if I would approve of it, and if I approved of it it was to be re-written.

Q. Did Mr. Meek state who he was.

A. Mr. Wilkinson introduced him to me as a solicitor; he had a law office there.

*Q.* Was it said he held any office with reference to the Conservative party, or was he simply introduced as his solicitor?

*A.* I do not think he did then.

*Q.* Then what passed?

*A.* After going over the agreement they went on to re-write it.

*Q.* Where is the agreement?

*A.* I do not know; I never saw it afterwards.

*Mr. BLAKE.—Q.* Have you that agreement, *Mr. Meek*?

*Mr. MEEK.—A.* No, I have not.

*The WITNESS.—*Then the \$5,000 note was produced.

*Q.* Did you ever get that?

*A.* Never got it; it was signed by *Mr. Meek* and *Mr. Wilkinson*.

*Q.* Anything else?

*A.* *Mr. Wilkinson* told me *Mr. Goldie* would not hold those papers, that he had seen his son, and that he would not agree to hold them.

*Q.* Was this agreement signed?

*A.* No.

*Q.* Do you recollect what its terms were?

*A.* It was a pretty lengthy agreement, and was to the effect of binding me to vote against the Government and with the Opposition.

*Q.* Did you sign that?

*A.* I did not.

*Q.* What was the reason of your not completing the arrangement and signing that agreement?

*A.* When he produced this note I turned to *Wilkinson* and said that was not the agreement I had with him, that it was *Mr. Bunting's* note that was to be put up and not *Mr. Meek's*.

*Q.* What did he say to that?

*A.* *Mr. Wilkinson* represented *Mr. Meek* as being good.

*Q.* And I suppose *Mr. Meek* represented *Mr. Wilkinson* as being good, and they were both to the note?

*A.* Yes, and they were urging me on to sign the agreement, and saying that the thing would be carried out without fail, as far as they were concerned, they would carry it out; of course this note was in the event of my not getting the registrar office; if I got that, this note was to be done away with.

*Q.* So that it was to be a guarantee that you should get either the registrarship and the \$2,000, or the note?

*A.* Yes.

*Q.* Therefore it was a matter of moment to you to get a note that was not represented simply by a piece of paper, but with some good name at the bottom of it?

A. I wanted to see the name of the party who he told me would sign the note, Mr. Bunting; I turned round then and said I would not sign the agreement and would not carry out my part of it.

Q. That was the reason—that the name of Mr. Bunting was not to it, and you determined not to carry out your part of the agreement?

A. Yes, that was the reason.

Q. Did anything else take place there?

A. Yes, Mr. Wilkinson told me that Mr. Goldie would not hold the paper, and he asked me if I knew any Conservatives in Toronto; I said not many; he asked me if I knew the Mayor; I said I did not; then he named some others, Mr. C. J. Campbell, the Deputy-Receiver-General, and I think Mr. Coatsworth, but I am not sure; I said I thought Mr. Campbell would do, and Mr. Wilkinson said he was a brother of a Minister at Ottawa, and he thought he would not act; I insisted seeing Mr. Bunting, and Mr. Meek said he would go out and see if he could find him; he came back and said he had telephoned and that he was lunching with Mr. Meredith at the Queen's Hotel, and could not keep his appointment; but they said he would not sign the note.

Q. Did you remain any longer after that?

A. A short time; Mr. Wilkinson said he would see Mr. Bunting during the afternoon, and he would let me know at supper whether we could have a meeting that night; he wanted me to meet Mr. Bunting; he was anxious to see this thing closed. They were both anxious that I should close up the bargain.

Q. You arranged to see Mr. Wilkinson at supper?

A. Yes, and I did see him and he told me Mr. Bunting would meet me at his room at ten or half past ten. It was on the night the Speaker gave his first dinner.

Q. Where were you to meet him?

A. In Mr. Bunting's room at the *Mail* office.

Q. And did you go there?

A. I went there; he was on the upper flight above the room when I got there, and there was some party in the room off Mr. Bunting's, writing; I asked for Mr. Bunting and he said he had gone upstairs and would soon be down; then this gentleman went to the tube and called him down, and he came down and met me in the room at the door; he commenced to talk about the defeat of the Government, and the forming of a Coalition Government; I had not met him before, but we named each other at the doors.

Q. You had never been introduced to him?

A. No, and did not know him by sight.

Q. He understood what you went for?

A. Yes, it appeared to me he did.

Q. Except to Mr. Wilkinson and Mr. Meek had you mentioned the fact that you were going to meet Mr. Bunting that evening?

A. Yes, I told the Commissioner of Crown Lands.

Q. Anybody else?

A. I think Mr. Fraser, but I would not be sure.

Q. But beyond these you told nobody that you can recollect?

A. No.

Q. So that it must have been either Mr. Pardee, Mr. Fraser, Mr. Wilkinson or Mr. Meek through whom Mr. Bunting was aware that you were to have a meeting that evening?

A. Yes, I did not tell anybody else.

Q. What was the next matter that was spoken of?

A. We talked about an hour.

Q. Was it suggested by Mr. Bunting in what way the change was to be brought about?

A. He wanted to have a Coalition formed—that there was nothing wrong about Mr. Meredith seeing one or two members supporting the Government in order to get a Coalition formed, and if he was in Mr. Meredith's place, if he could not see them in any other way, he would invite them out to dine with him, and would approach them in that way, and we talked about the men he could get from the Government side.

Q. Whom did he mention?

A. In the first place he spoke of those on the Opposition side who were to be in the Coalition Government; he first spoke of Mr. Meredith as the leader; he said he did not approve of him altogether as a leader, that he was weak at times and was not quite firm enough, but he was the best we had; then he spoke of Mr. Morris, and he did not approve of him at all; he said his health was not good, and he had to take a little wine, and sometimes he was afraid he took something a little stronger; this evidence I was going to give in the Police Court, but some one stopped me; then he went on to Mr. Creighton, and he said he was the best man we had got; and then the other party on the Opposition side was to be taken from outside; he was to be a Roman Catholic, and a Barrister in good standing who was not in the House then; then he said "You know them best on the other side of the House;" I then spoke of Mr. Harcourt, and then I said I thought it would be well to have a good strong party to go to the farmers with, and I named Mr. Drury, and he said if he was Mr. Meredith he would invite them out to dine; he said there was nothing corrupt in that.

Q. In winning them into a Coalition Government?

A. The wine was only mentioned in connection with Mr. Morris; then I looked at my watch and said, "it is getting late, I must go;" we had not touched on this matter of business yet; then he said, "I understand that you and Mr. Wilkinson and Mr. Meek had a meeting and some arrangement;" I said we had; I went over part of it, and I took good care that I left nothing unsaid before him which had been said then and what Mr. Wilkinson said about his note; he said owing to the position he held in the *Mail* and towards the Dominion Government, he could not sign any paper, but he would pledge his honour, and he reassured me there over and over again that whatever agreement I made with them would be fully carried out, that Mr. Meek especially was a man of honour, and he would see it carried out, Mr. Bunting would; he also said that Sir John never went back on his friends and that I would be well taken care of.

Q. And you asked him for the agreement in writing?

A. No, he refused one; I did not ask him for anything.

Q. Did you tell him the fact that there was to be put in an envelope, Mr. Macpherson's letter and the agreement?

A. Yes, he understood that.

Q. And he said that owing to his position with the *Mail* and the Dominion Government he could not put his pen to paper?

A. Could not sign a paper, but would pledge his honour that he would see it carried out.



Q. Was anything said about Mr. Lyon on that occasion?

A. Yes; a protest had been entered against Mr. Lyon; Mr. Wilkinson and myself had talked about Mr. Lyon's protest before that; Mr. Wilkinson asked me how I thought I could influence him.

Q. At which interview was that?

A. At the Walker House; there was a protest entered against Mr. Lyon's election, and I was to go up and see about it.

Q. Who spoke first about that?

A. I think it was Mr. Wilkinson; then it was gone over again in Mr. Meek's room in the *Mail* building.

Q. What was said about that protest?

A. In Mr. Meek's room, Mr. Meek said he was the Solicitor for the Petitioners, and they could easily get the petition dismissed if Mr. Lyon would vote with them; Mr. Bunting also spoke of it in his room; he said that Mr. Meek was Solicitor, and there would easily be something found in the petition by which they could get it withdrawn, that there would be no object in having the petition hanging over his head if he was voting with them.

Q. Did they say what Mr. Lyon was to do if this petition was to be dismissed?

A. Yes, he was to vote with them.

Q. And why did they come to speak to you about Mr. Lyon?

A. Mr. Wilkinson was asking my advice on several occasions as to whom I thought he could influence or I could influence to get any other person; his mode was when they selected a man, they did not set half a dozen on the track, but set one man after him; it was then I made up my mind to run myself on my own track, and I wanted to see what he could do.

Q. So he let you into that much of the secret of his mode of operating, which was no doubt a very good idea; then did you say anything to him about Mr. Lyon, or who could influence him?

A. I was to see him myself and ask him if the petition was withdrawn would he vote.

Q. That was one office Mr. Wilkinson commissioned you to undertake?

A. Yes.

Q. Was anything further said by Mr. Bunting as to Mr. Lyon than what you have mentioned?

A. Yes, a good deal; we had two hours' conversation; we were an hour talking Coalition before we commenced business, and then we talked another hour or so.

Q. Up to that point do you recollect whether any vote had been taken on the address?

A. I think not; I am not sure, but I think not; he gave me to understand that they were delaying the vote on the address, and that was one reason why they were hurry-up the matter.

Q. And that was one reason why he wanted you to complete your agreement with him?

A. Yes; but when the vote came, I paired, for I did not vote.

Q. However, he had said that he was anxious that this should be completed before the vote was taken on the address?

A. Yes, on several occasions; up to that time, he told me the vote was to be taken on the school book question; he said that was what they intended to defeat the Government on; and after that, when they arranged the attack the second time after coming back from Ottawa, he told me it was to be on the timber policy.

Q. Then did he mention any other person that he would like you to see or influence besides Mr. Lyon?

A. Yes, he spoke of Mr. Badgerow. I gave as a reason that I did not know Mr. Badgerow; that he did not move in the same circle; that he was a lawyer.

Q. Did he suggest any one else?

A. Yes; he named Mr. Laidlaw, and I said I did not think I could do anything with him. He told me he had other means.

Q. Of operating with him?

A. Yes; and he told me he had a man after Mr. Badgerow, and that they knew his price, and they were going to get him. He also spoke of Mr. Hart, of Prince Edward County; they knew his price; that a thousand dollars would take him, but that they would be driven into the last ditch before they would pay him a thousand dollars; that he was too fond of money; that it did not cost that to elect him, and that they would not give it; but he said they had a man after him.

Q. After this interview in the *Mail* building when was it that you next saw any of these gentlemen?

A. It would be more than two weeks before I saw Mr. Wilkinson again.

Q. At what period of the interviews was it that Mr. Wilkinson went down to Ottawa?

A. When we parted after I saw him at the *Mail* office I was to see him that night or the next morning, and let him know the result of the interview between Mr. Bunting and myself. I did not see him that night, as it was pretty late, but I saw him the next morning, and I told him that Bunting had refused to sign the note and I would not sign the agreement. He wanted me to finish the business up that morning, as he was going east. Then he said, "If you decide to accept you can wire me at Cobourg."

Q. Did he go to Ottawa in the meantime?

A. Yes. When he came back I saw him at the Walker House at tea, and he asked me how things were getting on. I said not very well; and he said, "These people here do not know how to carry on a thing like this." I said, "No; nobody knows like yourself." He asked me up to his room, and he told me then that he had seen some members of the Government in Ottawa, and he named one of the Deputies of a Department, and he mentioned this letter from Mr. Macpherson, and I said I thought that meant his appointment, no one else's; and he said, no, it gave him the power to make the appointment; but he wanted me to stay in the House to support the Coalition. I said I did not think I could stay in the House and hold an appointment from the Dominion Government at the same time. However, he discussed the matter, he said, in Ottawa, and he found that I was right; but that he would get legislation at Ottawa to enable me to hold my seat and vote here. He told me he was at Ottawa and saw them.

Q. That was about two weeks after the other interview—upon his return.

A. Yes.

Q. Did anything else pass between you in regard to these matters?

A. He wanted to renew the whole thing much more vigorously than at first, from the way he acted. He was very anxious then, and he came down one day and said

to me, "Our fellows got a very bad scare." I said, "What is the matter now?" and he said "Some leading Grit on your side of the House told one of our people that you are putting up this job, that you wanted to catch us;" and he said, snapping his fingers, "They are off in all directions; they got a bad scare."

Q. About what date was that?

A. I cannot give you the dates. It was getting on pretty well in the session.

Q. How long would that be before you handed in the envelope to the Speaker?

A. It was some time; a week or ten days at any rate.

Q. Whom did he mention that were all off?

A. Those parties we were meeting; but he said he rallied them again. He said he told them there was no truth in it, and he got them together again.

Q. After that interview, when next did you see Mr. Wilkinson?

A. I met him every day; sometimes twice or three times a day.

Q. Can you tell what was the talk or discussion at any of these meetings?

A. I told him then there had been an American here making better offers than he was. He asked me who he was and what offers. I said I believed he would pay \$3,000 for a vote.

Q. Who was the American?

A. Mr. Kirkland. I had seen him in the meantime.

Q. Had he called upon you in the meantime?

A. Yes, several times.

Q. Was that before or after this scare?

A. Before.

Q. Will you go back, and tell us the first interview you had with Mr. Kirkland?

A. He used to come around the Walker House in the beginning of the session.

Q. Did he board there?

A. He boarded at the Rossin House, but he used to come down there inquiring for Mr. Lyon or some one. I think it was Mr. Lyon introduced me, and he spoke this time. He told me he had timber lands on the American side of the Pigeon River, and he wanted to get timber on the Canadian side; that he had bought some lands, but he wanted the timber; that he saw Mr. Pardee, and he could not get the timber. I said I did not understand the matter, but I would see Mr. Pardee. But I did not see him in the meantime.

Q. Was this first talk with Mr. Kirkland before or after Mr. Wilkinson returned from Ottawa?

A. Before he returned. Finally Mr. Kirkland said I need not see Mr. Pardee; that he had got several to see him and they could not move him; that one or two members of the House—he did not name them to me—had kept Mr. Pardee from changing his policy; and he told me he was prepared to pay Mr. Pardee from \$15,000 to \$20,000 privately if he would sell him this timber, but he said there was no use of talking, that he would not do it. But he said he had seen Mr. Meredith, and after talking the matter over to Mr. Meredith, that Mr. Meredith had asked four or five days to consider the matter, and that at the end of that time he went back to see Mr. Meredith, and he told him he would bring it up in the House, that it was good policy and good for the country.

Q. That was the timber policy that Mr. Kirkland approved of?

A. Yes. Then I told Mr. Wilkinson about this Yankee, and the next time he came back he said they had looked up the Yankee and there was nothing in him, and they had determined to make him a scapegoat. They were not going to have him coming back claiming the timber, saying that he was the means of defeating the Government.

Q. What was the reason of them claiming the timber?

A. He said, "We will want this timber to divide up amongst us." They wanted it of course to divide up.

Q. Then did you see Mr. Kirkland after that?

A. Oh, yes, I saw Mr. Kirkland several times; he told me he had seen Meredith, and Mr. Meredith knew of his policy.

Q. Did Kirkland at any time make you any offer?

A. Yes, he wanted me then to go in with them, and vote with them. I said it was worth a couple of thousand dollars. "Yes," he says, "and I will give you another thousand on top of it if you go in with us."

Q. When you speak of voting, did he say to vote with whom?

A. On the timber policy.

Q. To vote on the timber policy with the Opposition?

A. Yes.

Q. What did you say to that; he made you an offer of \$3,000; did you close?

A. No, I did not close anything. I did not say I would accept, or anything of the kind.

Q. You said it would be worth \$2,000, and he said he would put another thousand on top of it, and that was the end of the conversation?

A. That was the end of that.

Q. Did you see Mr. Wilkinson again in regard to this matter?

A. I saw Mr. Wilkinson again, and it was about the time or coming near the time when they got the money, and he put up three fingers that way (witness illustrates), and he says, "Do you see that?" "Yes." "Well," says he, "that is what you will get; you will get three thousand one-dollar bills; you will get them in one-thousand-dollar bills—three of them.

Q. When you say it was about the time they got the money, what have you reference to?

A. I do not believe he had the money up to that time; I am only judging from other little circumstances.

Q. What makes you think that he did then get the money?

A. Well, it was about that time that this money, these thousand-dollar bills were changed—in the evidence I saw after—changed into five-hundred-dollar bills and one-hundred-dollar bills.

Q. So that at that time he said that they had gotten the money, and that you would get the three one-thousand-dollar bills of the money?

A. Yes.



Q. Anything further ?

A. Then he began to figure a little closer after that, and wanted me to take \$1,500.

Q. Was that on the same day ?

A. About the same ; the next day I think it was.

Q. Why was it that he wanted you to come down from the \$3,000 to the \$1,500 !

A. I do not know that he just gave a reason, but it appears to me that he had not as much as he pretended he had at first ; I think he wanted to cover up the American's bid, and then he wanted to get it down to the \$1,500.

Commissioner SENKLER.—Q. Who was this ?

A. Mr. Wilkinson. I was to get the registrarship as well.

Mr. BLAKE.—Q. When was this last conversation that you have been speaking of, when Mr. Wilkinson made the offer ?

A. It was after Mr. Kirkland made the offer.

Q. Was it Wilkinson who held up his fingers ?

A. Yes, Wilkinson held up three fingers.

Q. And said that it was that that you would get.

A. Yes.

Q. Then after that offer or statement of Wilkinson, did Kirkland make you any further offer ?

A. Nothing further.

Q. Then after the occasion of the holding up of the fingers, and saying that is what you would receive, how long after that did you see Wilkinson again upon the matter ?

A. Shortly after, probably the next day or so ; we met every day.

Q. What was it then that occurred between you ?

A. Well, I agreed to take the \$1,500.

Q. He beat you down from the \$3,000 to the \$1,500 ?

A. To the \$1,500 ; then I agreed to take the \$1,500, and to get the other \$500 when I got the office ; I was to get the office about the 10th or 12th of May.

Q. About the 10th or 12th of May ; would your session then be over ?

A. Oh, yes ; the session was supposed to end about the beginning of March.

Q. Did anything further pass than simply the statement that you would get the \$1,500 ?

A. Well, I think about that time, or not far from that, I met Mr. Bunting in the House. I was up at the House one evening, and Mr. Wilkinson sent for me by some person, I do not just remember who came, and told me that Mr. Wilkinson was at the Walker House and he wanted to see me, and I went down, and he asked me to take a letter. He said he would not go up about the House himself, but to take the letter up to Mr. Meek ; he was in the House. I said I did not know as I would know him amongst others in the House. "Well," he said, "get Mr. Creighton to hunt him up for you." I went up to the House and sent one of the pages to Mr. Creighton, and he hunted up Mr. Meek, and I gave one of them the letter I got from Mr. Wilkinson. I met Mr. Bunting just at the same time, and we shook hands and spoke, and towards the front door (the Speaker's

door) we commenced talking something about it, and I said, "They will hear us here;" and we walked out on the front and out on Front street, and up Front street, and walked up and down there some time.

Commissioner SENKLER.—*Q.* Who did?

*A.* Mr. Bunting and myself, and talked the whole matter over again of the Coalition, and he renewed the promises as to pledging his honour and his word that everything would be carried out.

Mr. BLAKE.—*Q.* Did you go into the particulars of the offer, that is to say, as to the \$1,500 and the \$500?

*A.* Yes, and spoke of the American's offer; and he said he would help me to get all I could out of the American; that I needed it; that I deserved it, for I was giving them good assistance; and I had been unwell before, I was sick, and he said, "Your business is preying on your mind and your health is failing; we will walk up this street:" that was up on the south side of the building; it was not so cold; we went up and down there; I suppose we spent pretty near an hour there talking; he spoke of my business; he went over the same ground again, promising and assuring me that everything they could do for me would be done; Sir John never went back on his friends: they would take good care of me, and I would get all that was promised.

*Q.* Then what next?

*A.* Then I met Mr. Wilkinson after that at the Walker; he fixed the time that they were to pay me the money, the \$1,500, and came and said I was to go to his room, they were all ready now. He brought me up to his room, and when he opened the door and went in there was a gentleman standing there. He introduced him to me, or me to him, as Mr. Lynch from Michiga. He said, "Now I will leave you, and you can do your own business." He took out a large envelope.

CHAIRMAN.—*Q.* When was this, in Wilkinson's room?

*A.* In Wilkinson's room in the Walker House. He took out a large envelope with something written on the back in the shape of a bet; I read it over; something about betting; I think about Dr. Dowling; it was evident to me they took out Dr. Dowling's envelope; it was betting that Dr. Dowling would not vote with the Opposition; I said, "I will not have anything to do with any betting arrangement, I prefer cash;" and he pulled out the money and showed me a pile of bills. I do not know how many was in it, but I know the top one was a hundred-dollar bill, and like the ones I did receive, and he said to me, "We will put these up in this envelope and you can seal it." He said, "Do you know Mr. Meek?" I said I did know Mr. Meek. "Very honourable man," he said. "Yes for anything I know of; I do not know of anything to the contrary." Says he, "He is my solicitor; we will put this into his hands until this is carried out;" and I said, "No. I will have nothing to do with this kind of arrangement: it was not the arrangement that I had made." He says, "I have nothing to do with that, and I do not know anything about that; that these were his instructions, and he was going to carry them out," and I determined to leave the room.

CHAIRMAN.—*Q.* Who was this?

*A.* Lynch.

*Q.* Had Wilkinson left?

*A.* He left the room immediately after he introduced me. I was going out, and he was trying to persuade me to go into his way of it; I refused to do it and left, and on going to the door I met Wilkinson and Dr. Dowling at the door; then I saw the American after this, and he expressed his sorrow that we had disagreed—Wilkinson and myself—that we had parted; he said, "Now, will you take \$750?" that was, he would get Wilkinson to give me \$750; I said, "No, he pared me down from \$3,000 to \$1,500, and

it is too small a thing to pare it much in this kind of way;" so Wilkinson came back and wanted to know if I would not take \$750. I said, "No, I will not." So he said, "I am afraid I cannot do any better, but I will see," and he came back again and said, "Will you take \$1,000 and trust me for the \$500?" I said, "I will trust you for the \$500 and take the \$1,000;" so he said, "I will have it for you to-morrow night;" that was Saturday night, and I saw Lynch; the man that he told me was Lynch; I went into the Walker and looked around before that; pointing out Mr. Bunting; so I went up to Wilkinson's room, and Wilkinson said Lynch had taken away the money, but he would have it the next day.

Mr. BLAKE.—Q. He had given you an offer of \$1,000, and said you would have it on Saturday, and on Saturday he said Lynch had taken away the money?

A. Yes, but I would have it on Sunday, the next day. On Sunday morning, after breakfast I laid down on the bed and was sleeping, and he came up and rapped at my door, and I told him to come in; the door was not locked.

Q. Who came in?

A. Wilkinson came into my room; he said to come down to his room, that he was ready now to close up the matter.

Q. What day was this?

A. Sunday; so he handed me out this roll of bills, and told me to count them; I counted them and there were ten one-hundred dollar bills. I put it on the small dressing table in the room, and he pulled out this document called the "Round Robin" and asked me to sign that. I had seen the document before and read it. I signed it, and after dinner I went up to see if the Speaker was about the House, and he was gone home. I met three of the members of the Government and I told them, and so I put it in the envelope, wrote a note with it, and on Monday I gave it to the Speaker.

Q. Was that the note (Exhibit D)?

A. That is the note.

Q. And that the envelope?

A. That is the envelope.

Q. And this is the other envelope that was outside?

A. Yes, on the outside; that is the note I wrote to the Speaker. Those are the ten (produced); that is the colour of them at any rate.

Q. You handed the same bills in?

A. The same bills I received from Mr. Wilkinson I handed them in to the Speaker.

Q. What day of the month was the Sunday?

A. I do not know. He told me that Mr. Meredith was going to move this resolution on Monday night, and he wanted to have this matter closed up.

Q. Who said that to you?

A. Wilkinson.

Q. Was that before or after you had received the \$1,000?

A. Before. They were going to move in that matter on Monday night.

Q. Was this on the Saturday or the Sunday he said this to you?

A. Well, he repeated it to me two or three times during that week.

Q. He repeated to you two or three times that they were going to move the resolution some time on Monday?

A. Some time on Monday.

Q. And, therefore, that they wanted this matter closed?

A. Yes.

Q. He repeated that several times?

A. Oh, yes, several times! On several occasions when I saw him he could tell me what was going on in the House just as well as I could. He had been down at the Queen's, he said, and saw some parties.

The CHAIRMAN.—Q. The letter is dated 17th March, that was Monday morning; I suppose the money was paid the day previous?

A. The day previous.

Mr. BLAKE.—Q. Did you ever see this "Round Robin" again?

A. Never saw it after I signed; when I signed Mr. Lyon's name was on it; I saw it before I signed it; he showed it once or twice to me before I had read it, and I saw Mr. Lyon's name on it before I signed it.

Mr. BLAKE.—Q. It was on Sunday you signed it?

A. It was on the Sunday I signed it; it is the only document I signed; he told me as to the object he had in view in getting that, that it was to show to others (Mr. Harcourt, for instance), that we were ready to go with them, and he wanted to show it."

Q. That was part of their scheme to procure what they desired?

A. That is what he told me.

Q. Have you seen this Mr. Lynch since, and do you know who he is?

A. I never saw him since, himself in person; when I was examined before the Grand Jury I saw his photograph.

Q. Do you know who he really was—the person who assumed the name of Lynch?

A. The photograph I saw purported to be Stimson.

Q. Had you known a person of the name of Stimson?

A. Never knew him; never knew either; but it was said to be Stimson, and it was the same party that wanted me to take the money, was the same photograph I saw.

The CHAIRMAN.—Q. The photograph you saw was the photograph of the person you knew as Lynch?

A. Yes, there it was represented to me as being Stimson.

Mr. BLAKE.—Q. Did you see Wilkinson on Sunday after you received the money from Lynch or Stimson?

A. It was from Mr. Wilkinson himself that I received the money; he told me that he would have the money on Saturday night, and when I saw him on Saturday night he said that Lynch had taken away the money; it was himself gave it to me.

Q. On Sunday did he mention where he had gotten the money?

A. No, he did not mention to me where he had got it.



Q. He had the money?

A. Yes, and he gave it to me; he told me Saturday night that Lynch had taken away the money, and I saw Lynch in the Walker House on Saturday night.

Q. Did you and Mr. Lyon meet Mr. Wilkinson at any time?

A. Oh, yes, we met! I spoke to Mr. Lyon about the protest, and he would vote with them, he said, provided it was not going to defeat the Government; he did not want the Government defeated, but he approved of their timber policy, and if they would withdraw the protest he would vote; so I introduced him to Mr. Wilkinson, or at least we met together. He told me he did not like Mr. Lyon very much, did not like his laugh; but, however, before he would be beat he would take him in; he had some doubt about him.

Commissioner SCOTT.—Q. Who told you that?

A. Mr. Wilkinson; he said also on that occasion he would be driven into the last ditch before he would take him, but however they met, and Mr. Lyon did not laugh very much.

Q. Mr. BLAKE.—He curbed that?

A. He agreed that they would withdraw the protest; afterwards Mr. Meek came around; he was in the Walker House in Mr. Wilkinson's room, and he appeared to be a little indignant about the withdrawal of the petition; that he had control of that.

Q. Who appeared to be indignant?

A. Mr. Meek.

Q. Was he untrue to his name; what did he say?

A. He said that neither Mr. Bunting or any other person had control of that, that he had control of that; so after he left he told me he would see to that, he would see that Meek would not be so haughty again, or something to that effect; that he would clip his wings; so when Meek did come back I saw him at the Walker House and he came up and shook hands with Lyon and myself on the sofa in the reading room. He said that he did not understand the matter rightly, but that the petition would be all-right, it would be withdrawn.

Q. He had fresh light?

A. Yes, and it would be withdrawn.

The CHAIRMAN.—Q. What did Lyon propose to do; vote against the Government on the timber policy?

A. Yes, vote against the Government on the timber policy if the protest was withdrawn; if he was sure it was going to defeat them he would not like to do it.

Mr. BLAKE.—Q. Had you any further interview with Mr. Wilkinson in the presence of Mr. Lyon, or was that the only one?

A. We had one or two, but it was all to the same effect, he was to get the petition withdrawn.

Q. He was to get the petition withdrawn?

A. One time he was to get some money, I think, but I do not know how much. I told Mr. Lyon he could make his own agreement as to that; I introduced him and told him he could make his own agreement as to the withdrawal of the petition; Mr. Bunting also assured me that the petition would be withdrawn.



*Q.* Was Dr. Dowling's name mentioned at all?

*A.* Yes, there was a protest in his case.

*Q.* Did anything pass between Mr. Wilkinson and you as to that?

*A.* Yes, they would withdraw the petition if he would vote with them, and they had a conversation, I believe, about the money matter. I introduced them and the petition was to be withdrawn, and he told me they wanted his seat, that this outside man that was going to get into the Cabinet, that they were going to run, both Bunting and Wilkinson told me they wanted that, and they would do some better for him on that account, on account of wanting the seat.

*Q.* They wanted him out to get the Roman Catholic matter in?

*A.* Yes, that was the understanding, so I introduced them and then allowed them to do their own work after.

*Q.* Do you know whether anybody else had been down to Ottawa with Mr. Wilkinson and Mr. Meredith?

*A.* Mr. Bunting told me he was down.

*Q.* These three had been down in the meantime—anybody else?

*A.* I do not remember, but Mr. Bunting told me himself he was down and that they asked him—some members of the Dominion Government—why they had not this Government defeated. He said they had not the power, and they said they would give him the power, and I did not understand exactly what he meant, but they would give him the power, and he was now prepared to go on. He told me that on the street.

*Q.* Mr. Bunting?

*A.* Yes.

*Q.* That they had not the power, and they had gone down to get the power, and they were going on to carry it out?

*A.* Yes.

*Q.* It was after that you received the money

*A.* It was after that I received the money.

*Q.* Was Mr. Kirkland present on any of the occasions that you saw Lyon?

*A.* I think Mr. Kirkland was ;—yes, he was sometimes.

*Q.* When you were discussing this was he present at any meetings other than those between yourself and Lyon and Wilkinson?

*A.* Not that I remember.

The CHAIRMAN.—*Q.* You say that Kirkland was present at some meetings between you and Wilkinson?

*A.* With Lyon and myself ; I am not so sure about Wilkinson.

Mr. BLAKE.—*Q.* Was Mr. Kirkland present on any occasion that you were with Mr. Lyon?

*A.* I remember him coming to me after I broke off with Lynch and asking me if I would not take the \$750.

Q. Who did ?

A. Kirkland, before Wilkinson, and he seemed to be sorry for the arrangement being broken off, and then immediately after Wilkinson came ; they were about in the same place ; they were in the house at the same time. I would not say that they were all present together.

Q. Urging the acceptance of the \$750 ?

A. Yes.

Q. Was Kirkland present on any occasions that you were with Lyon ?

A. I cannot speak definitely on that, but he was about.

By Mr. CASWELL.—Q. You spoke once in your examination about the American. I understood it to be Lynch. I want to understand clearly whether it was Lynch or Kirkland you referred to. You used the expression, "I saw the American afterwards and he said he was sorry that I had not settled with Wilkinson"?

A. That was Kirkland.

Q. Is he the one that asked if you would take the \$750 ?

A. It was Kirkland.

Q. Kirkland asked you if you would take \$750 ?

A. Yes. I was in conversation with Lynch afterward.

Commissioner SCOTT.—Q. I understood it was Lynch you saw in the room ?

A. It was Lynch I saw in the room, but it was Kirkland saw me after I parted with Lynch. It was Lynch was to give me the \$1,500—at least was to put it in an envelope.

Mr. CASWELL.—Q. You had no conversation with Lynch subsequent to that ?

A. No ; none before that.

Q. Neither before nor after ; that was the only interview with him ?

A. That is the only interview.

Q. Is it true that you met Kirkland subsequently to that and that he offered you \$1,000 ?

A. No, I never said that he offered that ; he offered me before that, when I spoke of the \$2,000, he said he would give me another, that was \$3,000.

Q. After you and Kirkland meeting, after this \$1,500 had been offered to you in the way of a bet, you say you met Kirkland, you conversed with him, and he said he was sorry that you did not accept this offer ?

A. Yes ; he asked me then would I take \$750, then I told him I would not

Q. Then did he offer any larger sum or any other sum ?

A. No, he did not.

Q. It was not true that he offered \$1,000 then ?

A. No.

Q. It was Wilkinson ?

A. Then Wilkinson came to me and asked me would I take \$750 ; I told him I would not.

Q. Not in Kirkland's presence ?

A. No, I think not.

Q. You say you first met Kirkland in the Walker House

A. I believe that is where I met him first.

Q. Why was he coming there ?

A. He used to be enquiring for Mr. Lyon.

Q. He did not go, as far as you know, to ask for yourself

A. No, not that I know of.

Q. How did you meet him,—was there any appointment as far as you knew, or did you just casually meet him ?

A. There was no appointment ; I believe Mr. Lyon introduced us : we met.

Q. Just as people meet in a hotel ?

A. Yes, up to that time, and then afterwards I was in my room and one of the bell boys came up and said Mr. Kirkland wished to see me, and I went down to the reading-room, to the office, and he said he wished to have half an hour's private conversation in my room or somewhere else, so we went up to my room ; it was then we talked over this timber policy, and about the Commissioner of Crown Lands refusing to grant him what he wanted.

Q. It was the timber policy that he was always urging on you ?

A. Yes, the timber policy.

Q. What was the change he was wanting as far as you understood it ?

A. Well he told me he had bought the lands there and he did not get the timber, and he wanted the timber sold out—put it up by auction or sell it privately, and sell it straight out.

Q. The timber upon his own lands ?

A. No, upon all the lands that he could get hold of there : it was not all the lands ; he complained that he had bought lands and could not get the timber off ; he did not complain to me particularly about his own lands, but he complained that he could not buy the timber as they did on the American side, buy it right out ; he told me that the way they did here—which I knew—that they put it up and sold it at a certain bonus, and then there was timber dues and all that kind of thing afterwards, but he wanted that done away with.

Q. He wanted the timber sold along with the soil of the rock ?

A. He did not appear to be after the soil so much as the timber ; he wanted to buy the timber.

Q. This is what he explained to you in the Walker House ?

A. Yes.

Q. Did he urge you to go to the Commissioner ?

A. He did then, and after that he did, and I think it was the third time he said it was no use in seeing him, that he would not change.

Q. What was the object of your visits to the Commissioner ?

A. About this timber, to see if he could not be induced to change the policy.

Q. The Commissioner had one policy and he wanted to get it changed, and he asked you to use your influence to try and get it changed?

A. Yes, that is what took place up to that time.

Q. You say he told you on the third occasion that there was no use going any more?

A. I never did go, but he said "You need not go, others have seen him and nothing can be done with him"; he told me then that he would have given him \$15,000 or \$20,000 privately himself, to do it, and he told me also that he had spent some \$32,000 on the other side last year, and they always put it down to Crown Lands, or Lands—to Land Account, that was it.

Q. This \$32,000, what was that?

A. Spent amongst the legislators on the other side in getting his timber through.

Q. Of course you did not believe that?

A. I do not know anything about it; I could not say now that I believe it or disbelieve it.

Q. You often hear gassing told about members of the Legislature being paid, and I suppose you took that as a piece of talk?

A. No, I did not know whether it was true or not.

Mr. BLAKE.—Q. You do not want to make your own client a liar?

Mr. CASWELL.—A. Oh no, but he gets into bad company, and then he has to talk according to the people he is with, I suppose.

Q. I understand you are the first person that suggested money to him?

A. Yes, I said it was worth \$2,000.

Q. What was worth \$2,000?

A. What I was doing then.

Q. What were you doing?

A. Well, I was supposed to be trying to influence others, and my vote was going, and all that sort of thing.

Q. I suppose you tried to convince him that you were trying to influence the Commissioner?

A. No, I told him I had not seen the Commissioner, and he told me I need not go; I did not make any professions of that kind to him.

Q. You were to influence members?

A. He was very anxious at this particular time then to get the matter brought up in the House by the Opposition; he told me then at that time that he had seen Mr. Meredith and he had submitted the matter to him, and he asked some four or five days to consider the matter, and in that time he had seen him again and he approved of it and he was going to bring it up in the House and there was to be a vote taken on that; he was anxious to get us to vote on that.

Q. Simply to get a change in the timber policy?

A. Yes.

Q. That did not indicate anything like voting against the Government?

A. I think so; what he was wanting then was to be.

Q. How?

A. He understood perfectly well, from what he said to me.

Q. How did he understand it?

A. He told me so; that he understood that the Commissioner would not change his policy, and that Mr. Meredith was prepared to take it up, his way of it, and he was then wanting us to vote with him, to vote with Mr. Meredith on that motion.

Q. Was anything said about voting against the Government to turn them out?

A. Yes, I understood they would be voting against the Government.

Q. Was anything said that it was voting against the Government?

A. I do not know that he just mentioned voting against the Government.

Q. It was simply a vote on this change in the timber policy?

A. He wanted me to vote with them on that policy.

Q. You are the one that suggested money to him, what was the answer to your proposal?

A. He would give that, and another thousand on top of it.

Q. Did not he say he would give you the \$2,000?

A. He did; he said he would give that and another on top of it.

Q. For what?

A. For what I have just told you.

Q. What were you to do?

A. For voting, and what I was doing then.

Q. For your services?

A. Yes, for my services.

Q. Did he say anything about your vote?

A. Yes.

Q. Did he want your vote?

A. Yes, he did want my vote; he said it was going to be discussed and voted upon he said Mr. Meredith was going to bring it up.

Q. Were you to speak on the motion?

A. He did not ask me to speak at all.

Q. You urged you should get this money on account of your services?

A. I did not urge anything about it; that is all he said to me.

Q. You asked \$2,000, and he said he would put a thousand on top of it?

A. Not a thousand; he said he would put another on top of it; I understood a thousand.

Q. Did he produce any money?

A. No, he did not produce any money to me.



Q. He did not show his ability to perform the promise?

A. No; he told me one time he expected to get on here without the currency, but he found he could not, and he had sent for it, and he expected his partner and he had not come.

Q. I suppose if he had given you \$2,000, you would have taken it?

A. Yes, I would have taken it, and put it up in the hands of the Speaker; that was my intention from the very beginning.

Q. You would have done it at that time?

A. Yes, at that time, or any subsequent time.

Q. Do you know at that time, whether Wilkinson and Kirkland knew one another at all, at the time of the speaking about the \$2,000?

A. No, I do not know that they did.

Q. Do you know who introduced him to Wilkinson?

A. No, I do not know; but Wilkinson came to me and told me he had seen the Yankee; he had looked him up.

Q. That was after this \$1,000 or \$2,000 conversation?

A. Yes.

Q. Do you remember how long that was before handing the money over to the Speaker?

A. No.

Q. Do you remember introducing Wilkinson to Kirkland?

A. No, I do not.

Q. I understand you introduced them three or four days before their arrest?

A. They knew each other more than four days before; I saw them around there more than three or four days; I did not introduce them at any time that I recollect.

Q. I understand you introduced them?

A. I am not accountable for your understanding in the matter; I do not think it is so; my impression is that I did not introduce them.

Q. I understand that you told Wilkinson about this \$3,000 offer of Kirkland's?

A. I did.

Q. Did Wilkinson then know Kirkland; did he give you to understand he knew Kirkland then?

A. No, I cannot say whether he knew him then or not.

Q. The conversation did not lead you to think that he knew him?

A. No, not then; the next conversation he led me to believe he had seen Kirkland; he said they had looked the Yankee up and they had found there was nothing in him, and they had determined to make him the scapegoat; that is all he said then; it led me to believe he had got some knowledge of him or had met him somewhere.

Q. After you met Kirkland did you go to tell Mr. Pardee about this Kirkland offer?

A. Yes, I told Mr. Pardee; Mr. Pardee said several members had seen him about Kirkland's change of policy, and that he had refused to do it.

Q. Did you tell him of this offer of money ?

A. I believe I did.

Q. Are you certain ?

A. I believe I did.

Q. Did you tell any other members of the Government about it ?

A. I do not remember.

Q. Mr. Hardy, for instance ?

A. I think that they knew it.

Q. Did you tell them ?

A. No, I do not remember that I did ; I cannot say now that I did.

Q. Did not Mr. Kirkland always refer you to Mr. Lyon as the person who would give all information about that country up there ?

A. I do not remember that he did refer me to Lyon particularly.

Q. Mr. Kirkland, you say, was trying to get you to get Mr. Pardee to change his timber policy ?

A. Yes.

Q. Did not he refer you to Mr. Lyon to get information about the needs of that part of the country ?

A. He may have ; I cannot speak positively on that ; I was up through part of that country myself.

Q. Still you would not have such knowledge of it as Mr. Lyon would have ?

A. No. I would not.

Q. You cannot say whether he referred you to Mr. Lyon or not ?

A. No ; I do not just remember whether he did or not ; I was not paying particular attention about what the country was there, or the timber either.

Q. From that offer of Mr. Kirkland's do you think that he actually intended to pay you money ?

A. Well, he appeared as if he did, because he told us that he had the money coming ; he expected it ; that he had written for it, and that he expected his partner coming.

Q. He did not show you any of it ?

A. No.

Q. Was not Mr. Kirkland urging that there should be a change of the timber policy up there ; was not that what he was urging ?

A. Certainly ; I told you that.

Q. Was not he urging you to support that timber policy ?

A. He was ; he asked me to vote for it.

Q. Did he ask you to support it if you conscientiously believed it to be right ?

A. No ; he did not say anything about conscience in the matter.

Q. Did he think you had none?

A. I do not know what he thought about that ; I am not prepared to say about that.

Q. That interview on the Sunday shows what they thought about that?

A. Well, it shows them as well as me ; the Sunday could be used both ways ; they should not fall into the pit if they did not want to be helped out of it ; I am not in the habit of desecrating the Sabbath.

Q. Did not he always urge that you should support that policy if it was for the best interests of the country ?

A. He always urged me to support that policy.

Q. Did he put that part ?

A. I do not know that he mentioned the interests of the country.

Q. Did he refer you to Mr. Lyon to get information ?

A. I cannot say that he did.

Q. Did you ever go to Mr. Lyon to get information ?

A. I do not think I asked any information about the timber ; I was not interested in the timber at all.

Q. You were merely interested in the money ?

A. Well, no ; I had no interest in the money either ; I think my action shows that ; it was not the money I was after ; if it was I think I could have had more from them.

Q. Did you not tell Kirkland that other people were making inducements to you to vote want of confidence in the Government !

A. Yes ; it is very likely I did if they were.

Q. Did he show by his conversation that he had the same object in view ?

A. The timber seemed to be his policy.

Q. He had nothing to do with the want of confidence ?

A. I cannot say that he had nothing to do with it ; from my conversation with him he led me to believe that he was working with the opposition, and told me on one or two occasions that he had met Mr. Meredith, the leader of the opposition, and they were working together ; that is what I was led to believe.

Q. You must not go so far ?

A. If you want to go by my belief ; that was my belief, that he was working with the Opposition, and at that particular time that he found he could do nothing with Mr. Pardee ; that it was his object then to get the timber by some means, and to work with the Opposition, as he represented to me that they had promised to bring the matter up in the House.

Q. So long as you go that far you are not going out of the way at all ; Mr. Meredith was to bring up this resolution and a motion was to be made upon it, and he urged you to support that motion ?

A. Yes, he did.

Q. To that extent he would be working with the Opposition, but when it came to a vote of want of confidence it would be an entirely different thing ?

*A.* I think he understood it was a vote of want of confidence ; he told me on one occasion that he knew it was dangerous work ; that it would be Penitentiary if he was found out ; he told me that before he made this offer.

*Q.* That it would be Penitentiary if it was found out ?

*A.* Yes.

*Q.* What he was doing ?

*A.* Yes ; he was making offers ; he would have to be careful, he said ; he knew the consequences ; he named Penitentiary to me.

*Q.* He said it would be Penitentiary if he was found out ?

*A.* Yes, he did.

*Q.* Did you not tell him the conversations you were having with other members of the House ?

*A.* I may have told him some.

*Q.* You told him what was going on ?

*A.* Yes.

*Q.* Did he not repeat to you what he was getting from the Opposition ; conversations with the Opposition ?

*A.* Yes, he told me they were going to support this policy.

*Q.* Did he not tell you the conversations he had with them ?

*A.* I do not remember any particular conversations, only he had seen Mr. Meredith and submitted this matter to him, and Mr. Meredith asked these days to consider the matter, and then he approved of it and would bring it up in the House.

*Q.* Was he not going around from the Government to the Opposition, and from the Opposition to the Government, trying to get them to advocate this policy— nothing to do with the politics of the day ?

*A.* He told me he had seen several of the members.

*Q.* Both sides ?

*A.* Yes, he told me he had seen some of both sides, but latterly he had given up the one side ; from the last conversations he appeared to have given up the Government side altogether ; that there was more hope held out to him from the other side ; that is what I understood.

*Q.* That might have been a part of the policy of some members of the Government to send him to commit the Opposition ?

*A.* He did not say anything to me about that.

*Q.* He seems to have been friendly with both sides, and asking both sides ?

*A.* He did not seem to have much confidence in the Commissioner of Crown Lands, for he said he could do nothing with him ; he is the only member of the Government he spoke to me about that I recollect.

*Q.* Mr. Kirkland did not give you to understand he had any money, only he told you that he had written to his partner ?

*A.* Yes.



Q. Have you ever seen his partner ?

A. No.

Q. Have you any reason to suppose that this money that was produced was any of his ?

A. No, I have not ; I don't know that it was.

By Mr. MEEK.—When did you first form the plan of trying to catch some person, to make some offer or bribe to you ?

A. I did not form a plan at all, sir.

Q. When did the idea first get into your head ?

A. Mr. Wilkinson spoke to me about the matter ; he was the first man ever approached me or spoke to me about the matter, or made any offer.

Q. At that time you had no design of trying to catch him and lead him on ?

A. Yes, I had designed to catch him when I found he was making definite offers.

Q. And that was the first time you formed the plan ?

A. No, I cannot say just to the time about forming the plan ; I did not form a plan at all ; plans were formed on Mr. Wilkinson's side ; he made the plans and expected me to carry them out.

Q. You say that Wilkinson spoke to you first, and then the idea entered into your head that you would like to get him ? Is that it ?

A. I made up my mind that if he made me these offers I would catch him ; I would accept the offers and expose him ; I made up my mind fully to that.

Q. As soon as you conceived that plan you began to put it into practice ?

A. No, he done the practising.

Q. You began to put it into practice ?

A. No, I did not practice it.

Q. You did not do anything at all to carry it out ?

A. I did do something to carry it out.

Q. What was the first step you took after Wilkinson spoke to you ?

A. When Wilkinson made me the offer of \$500, I went in and told Mr. Pardee the Commissioner of Crown Lands, immediately.

Q. Right straight off ?

A. As near as I can remember.

Q. He offered you this office in the North-west, and \$500. and you went straight off and saw Mr. Pardee ?

A. Yes ; as soon as I got an opportunity of seeing him.

Q. When was that ?

A. I cannot just give you the dates ; it was early in the beginning of the Session.



Q. Mr. Wilkinson at that time was stopping at the Walker House ?

A. Yes. •

Q. He told you he was up here on legal business ?

A. No ; he said nothing to me about legal business.

Q. I understood you to say that to my learned friend ?

A. I said no such thing ; he said he had some offer on the *Mail* staff or in the *Mail* office.

Q. At that time this offer was made to you by Wilkinson and you immediately reported to Mr. Pardee ?

A. As soon as I had an opportunity of seeing him.

Q. How soon was that ?

A. I could not say ; it was very soon after.

Q. A week after.

A. No, it was not a week.

Q. Did you report to anybody else but Mr. Pardee ?

A. Not then.

Q. Before you saw Wilkinson again had you reported to any person else ?

A. I think not.

Q. What did Mr. Pardee say to you ?

A. Well, he was not prepared to believe it at first, that they were bad enough to make these offers ; that they were making these offers.

Q. He thought it impossible ?

A. I do not know whether he thought it impossible ; I could not say.

Q. What did he say to you ?

A. I do not remember the particular conversation, but I told him —

Q. I ask you what he told you ?

A. If you ask me one thing I have got to tell the whole..

Q. What did Mr. Pardee say to you ?

A. I do not just remember what he said just upon that particular occasion ; just at that time I remember that he was not prepared just to believe it.

Q. Stop there, or tell me you have made a mistake ?

A. I did not make any mistake.

Q. You do not remember what he said ?

A. I do not just recollect the very words on that occasion.

Q. Do you recollect the purport of it, what it was ?

A. Well, he thought I ought to go on and see.

Q. Try and trace this thing out ; follow it up ; was that it ?

A. That is it, yes.

Q. Then in consequence of what he said to you you sought out Mr. Wilkinson again ?

A. I did not seek out Mr. Wilkinson ; Mr. Wilkinson sought me out every time.

Q. You were both stopping at the Walker House ?

A. Yes.

Q. You met there at the table every day ?

A. Well, we met at the table on several occasions, nearly every day.

Q. Sometimes three times a day.

A. Well we might have.

Q. You saw each other in the evening ?

A. Yes.

Q. You were very friendly ?

A. Very friendly.

Q. You were in his room sleeping on his bed ?

A. No.

Q. And telling about your affairs ?

A. No, I was not telling about my affairs.

Q. Will you swear you were not ?

A. I will.

Q. Will you swear you were not sleeping in his bed ?

A. I will.

Q. Will you swear you did not tell him about your affairs and cry to him and beg of him to get you some position in the North-West to escape from your creditors ?

A. I will swear I never did either, and I am swearing it.

Q. Did you not tell him there were three cases of forgery likely to be brought against you ?

A. I did not.

Q. Did you not tell him there was a note here—a Gaynor case—where you were likely to be prosecuted for forgery, and asked him to try and get you a situation ?

A. I do swear, I did not tell him that ; I do not think that would save me from the prosecution. I think you are a lawyer ; you ought to know that.

Q. You swear you did not tell him you were in very hard circumstances, and that you were almost on the point of starvation ?

A. I will swear I did not tell him that.

Q. Will you swear that you did not shed tears on several occasions ?

A. I will swear I did not shed tears on any occasion in his room or your room ; you

looked a little more like tears when I would not sign the agreement. I never shed a tear in his room, or in your room.

Q. You swear you did not?

A. I do swear, I did not; he was the first to speak to me about my business, and I did not follow it up.

Q. You did not?

A. I did not.

Q. It was the first occasion?

A. That was what he approached me on.

Q. Then you saw Mr. Pardee, and you were to go on and follow it up; did he tell you how to go about it?

A. No, I don't think he did; he left that to myself.

Q. Left that to your own ingenuity?

A. Yes.

Q. He thought you were quite capable of that yourself?

A. I don't know what he thought.

Q. The next occasion you saw Mr. Wilkinson; when was that?

A. Shortly after; it was then that he offered me the \$1,000.

Q. How did he come to offer you the \$1,000?

A. He said he thought, of course, in my case, that I needed the money, and he would do better for me.

Q. You perhaps shed a few more tears?

A. Oh, no, I am not just that kind, that would shed tears just so easy.

Q. Did you ask for an increase?

A. Not until I named the \$2,000; I had not up to that time.

Q. You did not ask for an increase?

A. No, I did not.

Q. The \$500 would have been enough to have caught him, without any further?

A. Yes.

Q. Why did you not consent to the \$500?

A. I thought it was better to have a little more; when I did seek to get a little more they kept paring me down again.

Q. The \$500 was not enough; was that the reason?

A. He came to me without asking him any more, and offered me \$1,000.

Q. Was the \$500 enough, or did you want more?

A. I wanted just all I could get; I was determined at that time to catch him.

Q. Then \$500 was not enough?

A. You were determined to catch me, to overthrow the Government, and you were very anxious in your own room.

Q. Was not \$500 enough ?

A. It was not enough.

Q. Then on the second occasion you got him up to \$1,000 ?

A. No, he got up himself.

Q. You wanted more, but did not ask him more ?

A. No, I did not ask him more.

Q. And he pledged you \$1,000 and the office on the second occasion ?

A. Yes.

Q. What did you say to that ?

A. I told him I wouldn't take less than two.

Q. Why did you say that ; why did you want \$2,000 ?

A. I don't know that there was any reason given ; I just named \$2,000.

Q. What did you say to him about it ?

A. I said I wouldn't take less than \$2,000, that is just what I said.

Q. Why ?

A. I don't know that I gave any reason, and I don't think he asked any.

Q. Did you speak of settling up your affairs, and paying some little debts ?

A. No, I did not ; I had made an assignment, and I was not settling up any affairs then.

Q. You spoke of \$2,000. Did he say he would give you the \$2,000 ?

A. He said he had no authority to offer it then, but he would see them again, and when I saw him again he said they had made up their mind—

Q. Never mind that ; you have told it once. He said he had no authority to offer you \$2,000 ?

A. Yes.

Q. This was the second interview you had with him on this question ?

A. It may not have been the second ; it may have been more than the second ; we had several conversations.

Q. Had you seen Mr. Pardee again ?

A. I had every time ; every time that I had an offer I saw him.

Q. What did Mr. Pardee say to you on the second occasion ?

A. To go on, and I told Mr. Pardee, and he named \$2,000.

Q. Didn't he tell you what to do or what to say ?

A. No, I don't think he told me ; I knew best myself ; I don't think he ever told me what to do, or what to say ; I have no recollection that he ever did.

Q. When you made the proposition for the \$2,000, you parted on that occasion without getting any offer of that ?

A. Yes, when I asked it.

Q. When did you meet again ?

A. Shortly afterwards we met again, and he told me they had made up their minds to give me the \$2,000 ; he always spoke of "They," and the meeting after the Caucus, every time.

Q. And that they had made up their minds to give you the \$2,000 ?

A. Yes.

Q. Were you satisfied with that ?

A. Yes ; that was the end of it then.

Q. \$2,000 and the office ?

A. And the office ; there was to be \$1,000 of it cash down the next week.

Q. Before any vote was taken ?

A. I don't remember whether the vote was supposed to come up ; I was to get \$1,000 next week any way ; I don't know whether that was mentioned before the vote was taken, but I was to vote with them, that was the understanding.

Q. You don't know whether it was before or after the vote was taken ?

A. I suppose it would be after ; it was supposed the vote would be taken during that week.

Q. Immediately after the vote was taken, what were you to do ?

A. I was to continue on in the House, voting with the Opposition.

Q. How could you do that, and still be Registrar ?

A. I was not to be Registrar until the tenth or twelfth of May.

Q. Then you were to get a position ?

A. Yes.

Q. Were you to do anything towards assisting in carrying the constituency for another candidate ?

A. There was nothing said about that, because he spoke about my holding a constituency.

Q. Didn't you say that you would resign your seat after the Session was over, and go up to your office, and would assist the Conservative party to carry the riding ?

A. No, I never said I would assist, nor he never asked me.

Q. Did you retail that whole matter to Mr. Pardee ?

A. I did.

Q. To any other member of the Government ?

A. Mr. Fraser I believe, was present.

Q. I suppose they were well pleased at your success ?

A. They did not appear to disapprove of it at all.

Q. They told you you were doing right ?

A. Didn't say that I was that I remember of.



*Q.* They did not tell you to act like an honourable man, and spurn any offer of that kind?

*A.* I thought I was just spurning it in the right way; I thought I was acting the part of an honourable man and spurning Mr. Wilkinson and yourself in the proper way; that is the right way to punish you, I thought so.

*Q.* The week rolled around and what then?

*A.* I was brought up to your office in the meantime; Mr. Wilkinson made the arrangement with me.

*Q.* I never invited you to come to my office did I?

*A.* Mr. Wilkinson made the arrangements.

*Q.* Answer my question, please?

*A.* You did not; but now I will tell you the balance of it, if the Court will allow me.

Mr. MEEK.—No you will not.

The CHAIRMAN.—Just answer the questions.

*Q.* Then when you came to my office, do you remember telling me about your grievances against the Government?

*A.* No, I do not.

*Q.* That you were dissatisfied entirely with the Government and with their policy?

*A.* I told you no such thing, for I was not.

*Q.* And that they were a selfish lot, and that you had ruined yourself in politics, and that they had never stretched out a hand to help you in your difficulties?

*A.* I never told you anything of the kind.

*Q.* Do you deny all that?

*A.* I do deny it; I did not say anything of the kind.

*Q.* And that they were seeking simply their own success, and retaining themselves in office, and cared nothing about their supporters so long as they could get their support; do you remember telling me that?

*A.* No; I didn't tell you that.

*Q.* Do you deny telling me that?

*A.* I do; I have denied it.

*Q.* And that you had made up your mind to quit them?

*A.* I don't know; I don't think I said that; I don't remember that I did.

*Q.* Do you swear that you didn't?

*A.* I do swear that I didn't.

*Q.* Did you tell me that you had been arranging with some person about getting some members to vote against the timber policy of the Government?

*A.* I may have told you that; I was speaking to others.

Q. You do recollect that ?

A. Yes.

Q. And that you thought your services in connection with working up this case were worth about \$2,000 ?

A. No ; the \$2,000 was fixed before I went to your office at all.

Q. Did you not say to me that you thought your services in this matter were worth about \$2,000 ?

A. No ; you never spoke to me about \$2,000 ; you had a draft of agreement ready, and you had a note of \$5,000 there signed.

Q. Will you please answer my question ?

A. I did not speak to you about what you say now ; the \$2,000 was understood perfectly well before I went to your office.

Q. Did you not tell me you wanted an agreement with this party to bind him or them— whoever it was—that they would pay you \$2,000 for your labor and expenses in connection with this timber policy ?

A. It was not necessary to tell you ; you had that agreement written out there when I went there, and read it for me.

Q. Will you answer my question ?

A. I say I did not, because you wrote that agreement for me ; you had it written out when I went there, and you wrote it for me.

Q. That is a distinct untruth ; did you not tell me that ?

A. I did not, for you had all that down in writing before I went in.

Q. Did you not sit down and dictate an agreement which you wished me to draw for you ?

A. No ; you had the agreement written when I went in ; you read it.

Q. If your memory were worth anything at all you would know that is entirely untrue ?

A. Well, I know it is not untrue ; I am sure it is true : you had it written, and wanted me to approve of it, and was going to re-write it, and did re-write it.

Q. Don't you remember sitting down at my table opposite to me, and dictating the kind of agreement you wanted drawn ?

A. No, I did not ; you had it done when I went there.

Q. Do you remember my reading that agreement to you after I had drafted it, and you disapproved of some parts of it ?

A. No ; you had it written when I went in.

Q. Why do you keep on repeating that ?

A. Because it is true.

Q. Is it because you want to convince the Court that that is true ?

A. I want to convince you.

Q. You can't convince me ; I say that what you say about that is distinctly, and positively, and utterly untrue ?

A. I say it is.

Q. I am prepared to prove it ?

A. I don't doubt that ; if you are prepared to prove what is not true I am not.

Q. Then, after it had been re-written with alterations which you suggested, do you recollect going out to see some parties to have them sign it, or agree to it ?

A. No.

Q. And coming back again ?

A. No, I never went out or came back again ; never went out until I left your office.

Q. You deny that ?

A. I do ; when I went out I did not return.

Q. Do you recollect asking me if I would guarantee that Wilkinson would carry out any agreement or offer he had made ?

A. No ; I remember distinctly you and him had a \$5,000 note drawn up and signed there, and you had this agreement.

Q. Who told you that first ?

A. You showed me the note and handed it to me.

Q. That appeared first in the written statement that was written out for you for the Parliamentary Committee ?

A. No, you had the note prepared and signed.

Q. You are prepared to swear to that ?

A. I am.

Q. And to stand by that ?

A. I am.

Q. You swear that there was a note signed by me ?

A. I do.

Q. Signed or endorsed ?

A. I can't say, but your names were both on that note.

Q. Where was my name on that note ?

A. I can't swear just where it was ; I will swear positively that it was on that note I had the note in my hand.

Q. You took it and handled it ?

A. Yes.

Q. And saw it with your eyes ?

A. I did.

Q. And put on your specs ?

A. I don't know that I did.

Q. Did you sign the agreement ?

A. I did not.

*Q.* You are prepared to swear you handled that note signed by me in your hand, in my office, on that particular occasion?

*A.* On that particular occasion; I never was in your office before.

*Q.* Did you go up to the *Mail* office in pursuance of any request or direction from Mr Pardee?

*A.* No; it was Mr. Wilkinson that requested me to go up.

*Q.* Did Mr. Pardee know that you were going to the *Mail* office?

*A.* Yes; he said for me to go.

*Q.* Did he tell you to go?

*A.* My recollection is that he did, and whether he did or not I was going to go.

*Q.* If you were going in accordance with directions, and for the purpose of catching somebody, why did you not take that note; why did you not sign that agreement, and have it put into this envelope that you speak of, have it put in the hands of some person?

*A.* I will give you my reason why I did not do it; Mr. Wilkinson named Mr. Goldie, of Guelph, and he told me then that Mr. Goldie would not hold it, and then he named some others in Toronto—Mr. Campbell for instance, the Deputy Receiver-General; I was not satisfied with any man; I said I thought Campbell would do, and Wilkinson said that would not answer the purpose, because he was a brother of one of the Ministers, and would connect the Dominion Government, and you thought it would do, and at that particular time it was Bunting's note; I objected to take your note and Wilkinson's then and there.

*Q.* After you had seen Mr. Bunting, and he told you that I was an honourable man, and that I was a man worth \$5,000, and that anything that I did would be guaranteed and carried out, why did you not come back and sign that agreement?

*A.* I was not going back; I had no arrangement to go back.

*Q.* If you had had those documents here, what a wonderful case you would have had?

*A.* You wouldn't show them papers here; why didn't you bring them here?

*Q.* After you had got Mr. Bunting to agree to it, and to guarantee everything that you say I agreed to do, why did you not go back to my office and get those documents placed in the hands of some third party, where they could be got at by some Court?

*A.* I did not want to go back; I was not going to take your note or Wilkinson's.

*Q.* Then you were not satisfied with my note?

*A.* No. I did not like the looks of your face to begin with; I did not like your appearance.

*Q.* You wanted something better than that?

*A.* I wanted something more substantial than that.

*Q.* It was a mutual repugnance?

*A.* Well, you appeared to be very anxious to carry out the thing.

*Q.* You will hear what I have to say in regard to that?

*A.* Yes, we will hear what you have got to say.

Q. You wanted some better security, wanted to get hold of a better man ; was that the reason, or was it simply that you wanted to catch Mr. Bunting?

A. I wanted to catch Mr. Bunting.

Q. That was the main reason?

A. That was the main reason.

Q. At the Police Court you swore that there were two reasons?

A. It was both reasons ; I swore the same thing at the Police Court.

Q. You swore you wanted better security for the amount?

A. I gave both reasons ; I said I wanted to catch Bunting, and I wanted better security.

Q. When you left my office, that was along at the beginning of the Session ; when did you next meet me?

A. The next time that I remember meeting you was when I met you in the House with Mr. Creighton, when he hunted you up.

Q. At the time you came up you asked Mr. Creighton to find me for you?

A. Yes.

Q. And when I came out, you did not know me?

A. Yes, I knew you.

Q. You said to Mr. Creighton, and said to me that you did not know me?

A. No, I said I did not know that I would know you ; I asked Mr. Creighton to look you up.

Q. Will you swear you didn't say that?

A. I won't swear, but I will swear this, that I said I did not know whether I would know you or not.

Q. Did not Mr. Creighton introduce me to you or you to me?

A. We met, all three, there in the lobby ; I believe Mr. Creighton said, "This is Mr. Meek."

Q. And didn't you say, "I didn't know you?"

A. No, I did not say I didn't know you ; I swear that I said I did not know whether I would know you or not ; I said that to Mr. Wilkinson, if I saw you again, that I only saw you that once.

Q. Will you swear you didn't say, you did not know me?

A. No, I didn't say that.

Q. How long elapsed between the time you were in my office and the time you met me there?

A. Some couple or three weeks.

Q. What did you say to me that evening?

A. I said Mr. Wilkinson asked me up.



Q. Did you not ask me to walk with you down to Mr. Wilkinson's room with Mr. Lyon?

A. I did not.

Q. Do you deny that?

A. I do; I did not ask you that.

Q. Did you not say to me, that Mr. Lyon wanted to see me about the protest?

A. No; Mr. Wilkinson was the man that sent me.

Q. And did not I say, that I would not consent to withdrawing the protest?

A. No, that was long after; I did not go down at all with you.

Q. I know you did not, because I would not go with you; I told you distinctly I would not go;

A. It is a wonder on the same occasion Mr. Bunting would walk with me, he appeared to be so much higher and better than you, and he did not refuse to walk with me.

Q. Did I not tell you there and then that I would not go with you?

A. You did not.

Q. Do you deny it?

A. I do indeed deny it.

Q. Did you not say you would go in and get Mr. Lyon out, and you and he would walk down with me to Mr. Wilkinson's room, and we would fix up that protest matter?

A. I did not; I immediately turned and had a conversation with Mr. Bunting; I had no further conversation with you; if you are prepared to contradict me every time I answer you, I don't think I will try to answer; I am telling the truth.

Q. You are not telling a word of truth—scarcely a word of truth in what you say from beginning to end?

A. I am telling the truth.

MR. BLAKE.—I suppose something like the same rule in regard to the examination of witnesses should be observed here, and no counsel would be allowed to say that to the witness in the box,—that he is not telling a word of truth; because the counsel happens to be a party does not make any difference.

MR. MEEK.—I have heard my learned friend say the same thing, I know what this man is telling.

THE CHAIRMAN.—You can give your own evidence in your own behalf. It seems to me an unusual course to ask this man questions and then say, "You are lying all the time."

MR. MEEK.—Well, I know it to be so; I can't help saying it.

WITNESS.—You do not know it; it is not so.

THE CHAIRMAN.—I think the evidence should be taken in the usual way.

WITNESS.—I have been examined by five on the Opposition side.

THE CHAIRMAN.—If you desire to contradict him, you will have an opportunity of

going into the box afterwards and doing it ; your merely saying that he says what is not correct does not prove it.

Mr. MEEK.—I think I have heard my learned friend say the same thing to witnesses as I have done.

The CHAIRMAN.—If the opposing counsel has been guilty of the same thing, that does not justify it.

Mr. BLAKE.—There is no use giving an example ; you wont follow it.

Q. I want to ask you these things to see whether you deny them or not ; do you recollect asking me to go outside as somebody would see me there in the hall ?

A. No, that was Mr. Bunting.

Q. And me refusing to do so ?

A. No.

Q. Saying that I had nothing secret with you or nothing to communicate with you ?

A. Nothing of the kind passed between us.

Q. Don't you recollect me saying to you that I would not go down with you, but you might go back and tell Mr. Wilkinson that I would call at his room on my way home in about an hour ?

A. No, you did not say any such thing to me.

Q. Do you recollect on that same evening, in the course of about an hour afterwards, you and Mr. Lyon coming into Mr. Wilkinson's room, when I was sitting down there ?

A. I remember meeting you and Mr. Lyon and Mr. Wilkinson in Mr. Wilkinson's room.

Q. Is not that the way it occurred ; did not you and Mr. Lyon come walking into Wilkinson's room, No 9, of the Walker House, and find me sitting on the chair there ?

A. I don't know how we met or how we were there, but I remember we were all four there ; I won't say it was the same night either ; I don't think it was.

Q. It was the same night exactly, because these are the only two occasions I ever met you in my life—in my office, and that same night ?

A. Yes, you did afterwards see me in the reading-room of the Walker House.

Q. Do you remember you and Mr. Lyon coming into the room, and I was sitting down at the farther end of the room in a chair, and Mr. Wilkinson sitting on the end of the bed, and your speaking to me then ?

A. I don't remember how we were sitting, but I remember we were all four in the room.

Q. You remember you sat at the upper end of the bed near the pillow, and Lyon took a seat down beside me at the far end of the room in a chair ?

A. I don't remember where I sat, but I remember I was in the room with you and Lyon.

Q. Do you remember who called for the whiskey or the beer ?

A. I don't remember there was any called for at all ; I don't remember ever taking anything in Wilkinson's room.

*Q.* I remember you taking two drinks that night—you took whiskey both times too?

*Mr. BLAKE.*—Was it cold?

*Mr. MEEK.*—I don't know whether it was or not.

*Witness.*—My recollection is we had nothing in Wilkinson's room that night; I don't remember that it was the same night; I remember we four were there one night.

*Q.* You are not prepared to swear it was not the same night?

*A.* No.

*Q.* Do you remember after Mr. Lyon got his glass of whiskey him saying to me that you had said that I wanted to see him about the protest?

*A.* I remember the protest coming up.

*Q.* Do you recollect, as soon as he mentioned that, your leaving the head of the bed, and coming over and crouching down, and listening to everything that was said?

*A.* No, I don't recollect that, because I think the conversation was loud enough for all to hear.

*Q.* Do you deny that you did that?

*A.* I do; I don't remember doing that.

*Q.* Do you remember when Mr. Lyon mentioned that to me that I told him that I had told you distinctly the position—that I had refused to withdraw it?

*A.* No, you did not tell me, but you said there and then that you would refuse to withdraw it, and you put on rather a dignified appearance.

*Q.* Don't you recollect my saying to him that it would be an unprofessional thing to do such a thing as that—an improper thing for him to ask?

*A.* You gave him to understand there that you would not do it.

*Q.* And that I would not do it even if it would turn out the Mowat Government?

*A.* You did not say that; you were very anxious to get the Government out.

*Q.* You deny that?

*A.* Yes.

*Q.* Do you recollect his asking me to give him a written agreement and to get Bunting or Creighton to sign it?

*A.* I remember him wanting some guarantee.

*Q.* Do you remember Mr. Lyon asking me to give him a written agreement that I would withdraw it?

*A.* I don't know that he asked you then, but I remember him speaking.

*Q.* And to get Creighton or Mr. Bunting to sign that?

*A.* I have no recollection of hearing Creighton's name mentioned.

*Q.* Do you recollect my refusing to do it, and saying that Mr. Creighton or Mr. Bunting had nothing whatever to do with it?

*A.* Yes, I remember you saying Mr. Bunting had nothing to do with it.

Q. Do you recollect Mr. Lyon then asking me to give him a written agreement myself.

A. I don't remember of anything in writing being spoken of, but he wanted some guarantee.

Q. And that you and Mr. Wilkinson would see Mr. Bunting and get his consent?

A. Yes; we would see Mr. Bunting.

Q. Do you remember speaking up and saying, "Never mind Wilkinson and I will see Mr. Bunting, and get his consent?"

A. No, but we were asked to do it.

Q. Do you pretend to say that, sir?

A. Yes, sir; and I remember you coming back very meek, and saying you misunderstood the whole matter, and that you were now prepared to go in and discuss the whole thing.

Q. Do you remember me refusing to give Mr. Lyon my own written agreement?

A. No, I don't know that there was anything in writing spoken of there.

Q. Do you remember me telling him and you, after you came crouching over there, that I had no faith in your honesty, that you ought to have common sense to know that if you were supporters of ours there was no necessity of asking such a thing as that?

A. You never said you had no faith in our honesty.

Q. Do you remember my saying it shook my confidence in your honesty, your asking such a thing?

A. No, I do not, indeed.

Q. Before that you were saying you were in favor of a coalition and wanted to get the Government defeated, and would do almost anything to get them out?

A. No, I don't remember going that far.

Q. And that you wanted this agreement so as to make it sure, that Mr. Lyon would not be proceeded against in case the Government were turned out, that the petition would not be continued against him?

A. Mr. Lyon was the party that was wanting to be secured, himself.

Q. Do you recollect Mr. Lyon saying that we might possibly continue against him after the Government were turned out, or after the vote on the timber policy was taken that we might possibly then continue to prosecute the petition against him, as we would not have faith in him?

A. I don't remember, but I remember both you and Mr. Bunting saying there would be no object in following that up—following up the petition—if he would vote with you; you said that.

Q. Do you remember Mr. Lyon saying on that occasion that he was opposed to the Government's timber policy, and had arranged to vote against them on that question at any rate?

A. Yes, he always admitted that he was going to vote against them on the timber policy.

Q. Do you recollect him saying to me that if I would consent to withdraw the petition he would vote against them throughout the Session?

A. I do not.



Q. Do you recollect your talking about forming a timber company ?

A. Yes, and I remember you applied for the Solicitorship.

Q. And I said to you, after you had discussed this matter for some time, "I want you to make me Solicitor at \$5,000 a year"?

A. Yes, you asked for the Solicitorship ; I don't know that the salary was named. You said all you wanted was the Solicitorship.

Q. Don't you remember me saying, "Won't you make me Solicitor, with a salary of \$5,000 a year"?

A. I don't remember ; you may have said that, but I remember of you speaking of the Solicitorship.

Q. Do you recollect you and Lyon discussing the question, and saying that you would divide these timber limits between yourselves ?

A. No.

Q. And that you would get the start of the Yankee, and would not let him have a share in it ?

A. No, it was Wilkinson said that.

Q. You were discussing that between you, that you would get the start of the Yankee and it would be a good joke on him, after all the time he had spent ?

A. That has been what Wilkinson has said, that he would not have the Yankee coming back claiming that he defeated the Government, and claiming the timber.

Q. My recollection is that you said all that yourself ?

A. I don't know anything about your recollection.

Q. Do you remember going down to the reading room of the hotel—you and Mr. Lyon—that evening before I went out ?

A. I remember going out.

Q. Do you remember going down into the reading room of the hotel ?

A. I don't remember where we went I know we went out, and I don't know whether we left you there or not.

Q. It was pretty late—it was about twelve o'clock ?

A. It was late.

Q. You stayed there talking a long time, trying to get me to withdraw the petition—you spent about two hours ; over that ?

A. Oh no.

Q. Well it was over an hour, and you had failed, and you went out, and went down to the reading room of the hotel, and do you remember when I was coming down stairs you were sitting over in a dark corner—you and Mr. Lyon—and you whistled to me ?

A. No, I did not whistle ; I am not a whistler.

Q. Do you remember one of you whistling as I was passing the hall ?

A. No, I don't remember any whistling.



Q. Do you remember my coming over to that corner?

A. I recollect, I don't know whether it was that night; my recollection is that it was the next night?

Q. Was it not after twelve o'clock at night?

A. I can't say that it was.

Q. You remember Mr. Lyon or you asking me to take another drink before going home?

A. I don't remember; I wasn't taking any drinks.

Q. Do you remember Mr. Lyon asking me again there and then when you were together if I would consent to withdraw it?

A. I remember you coming over—my recollection is that it was the following night—to where we were sitting, and you said you misunderstood the matter when you were in Wilkinson's room, but now——

Q. That is the way you put it?

A. Well, you told both of us then that you misunderstood it, but now you were prepared to withdraw the petition; and we were sitting on the sofa, not in a dark corner, but in the front of the reading room, the room that opens out on Front street there.

Q. Because the two of you happened to be there alone, and because I happened to meet the two of you alone, that I would consent to do it?

A. You did consent there to do it.

Q. You swear to that?

A. I do swear to that; Wilkinson told me that he brought you to time when I saw him again.

Q. Do you remember Mr. Lyon saying to me: "Do consent to this," or "Will you consent to this, and it will be all-right," at that very place, in that room that night?

A. No, you came right forward yourself of your own accord and told us.

Q. Do you remember of my saying that night, that I would not do anything further than what I had said before?

A. No, you said there and then you would do it, and you shook hands in a very friendly manner with both of us.

Q. That may be true?

A. It is well I tell any truth; you admit there is any part of it true.

Q. You never met me again after that?

A. Not that I remember.

Q. You did not come to my office any more, or any other place?

A. No, I never was sent for either; still you claim at one time I employed you to write an agreement, and I did not go back to pay you.

Q. So you did?

A. So I didn't.

Q. We will see whether you will not have to pay for that agreement yet?

A. I hope you will bring that matter up; I am prepared to defend that.

Q. Can you tell me what day that was on which you brought me out of the Parliament House, when Mr. Creighton came to see me, and you met me in the hall of the Parliament House?

A. I can not.

Q. Can you tell me how late it was at night?

A. No.

Q. Do you remember my being indignant or expressing indignation about being asked to withdraw the petition?

A. The only time you appeared to be indignant was in Wilkinson's room; I remember you saying you would not have the petition withdrawn.

Q. Was that the language I used?

A. Yes, that Bunting had nothing to do with it.

Q. Do you pretend to be using the words that I used?

A. That was the words as near as I can remember.

Q. Do you profess to be able to tell the language that was used?

A. Yes, I know the language that was used on two or three occasions.

Q. Tell me the day when you first appeared at my office?

A. I can't give you the date; it was on the day when the Speaker gave his first dinner—that night.

Q. You are sure that it was not the following day?

A. No, I am sure it was the day; I am quite positive it was sometime about mid-day.

Q. How long did you remain?

A. I couldn't say; I was there a good while; one or two hours I should say.

Q. Do you swear that you did not go out and come back again?

A. I do.

Q. Who did you see in my office beside myself?

A. Mr. Wilkinson.

Q. Who else?

A. I don't remember that I saw anybody else; some person, I believe, came to the door.

Q. Did you see any clerks or students in my office?

A. There were none in that room.

Q. Will you swear that none came into the room?

A. There may have been some person in the room; I remember some person came to the door, and you got up and went to the door and locked it, and said you wouldn't be bothered with any person coming in while you were doing this business, and I remember a slip of paper being put under the door.

Q. Did not a gentleman come into the room, and stay there for at least five or ten minutes?

A. No, not that I know of; I have not the slightest recollection of any person coming there.

Q. I want you to swear positively on this point?

A. I will swear that there came some person to the door, and you met some one there and you sent him away, and locked the door, and said you were not going to be bothered with people coming now.

Q. Did any person come into the room at all?

A. They came somewhere about the door, and you met them at the door, and turned them back; I don't think the door was shut at all; my recollection is, you went and met him at the door.

Q. You swear positively on that point?

A. I am just swearing, you met some person there, and sent them away again, and you locked the door again, and said you were not going to be annoyed, and there came a rap, and some person slipped in a piece of paper.

Q. I want to know if you swear that any person came into the room?

A. I wouldn't swear that he came past the door.

The CHAIRMAN.—Q. Was there any conversation took place between you and Mr. Meek while that person was at the door?

A. No, there was not, for Mr. Meek was talking to this person, whoever it was, and sent him away again.

Mr. MEEK.—Q. Where were you at that time?

A. I was sitting on a chair in that office all the time.

Q. Do you say that you met Mr. Bunting the same night that you were in my room, or the night previous?

A. The same night; I am positive about that; but I went to the Speaker's dinner, and I went to meet Mr. Bunting the same night.

Q. Do you remember meeting Mr. Wilkinson afterwards, that same evening about tea time?

A. Yes.

Q. Do you remember shaking hands with him, and his going away on the train?

A. No.

Q. Do you remember walking past the Walker House with him, down towards the station as he went away on the train?

A. No, he did not go away on the train that night.

Q. You swear that that is not so?

A. No, if he did he was there the next morning, for I saw him the next morning.

Q. Why did you not take that \$2,000 from Kirkland that he offered you?

A. He just offered me the money, but he did not show me the money.

*Q.* If he had shown it to you, you would have taken it?

*A.* I think I would have taken it, and just done with it as I did with the other—just put it in the Speaker's hands.

*Q.* You did not tell anybody that you had been offered money by Mr. Kirkland—did not tell Mr. Pardee that?

*A.* I think I did; I am pretty sure I did.

*Q.* You are not quite sure about that?

*A.* Well, I think I am, it is my recollection that I told him.

*Q.* Have you got a good memory?

*A.* A pretty fair memory.

*Q.* You say that when they offered you the \$750, you got annoyed at that?

*A.* No, I refused taking it.

*Q.* Paring the thing down too much?

*A.* Yes, too much.

*Q.* That would have done just as well as \$1,000?

*A.* Well, \$1,000 was better; it was even<sup>er</sup>, and it was easier handled.

*Q.* Easier counted?

*A.* Yes, those \$100 bills.

*Q.* You came very near letting slip the chance of getting the money at all?

*A.* Yes, but I got it though; you will not deny that; they kept at it till they got me to take it.

*Q.* Every time that you had an interview, you went over to the Parliament House?

*A.* Yes.

*Q.* Did you ever see Mr. Hardy at that time?

*A.* Yes, I saw Mr. Hardy.

*Q.* Did he give you any directions about it?

*A.* I don't know; he gave me no directions how to proceed.

*Q.* Your instructions came from Mr. Pardee?

*A.* No, I don't say that; I was prepared to do it myself.

*Q.* Did Mr. Fraser give you the directions?

*A.* No.

*Q.* Did you see Mr. Mowat?

*A.* No, I never saw Mr. Mowat on the subject.

*Q.* Did he know anything about it?

*A.* I don't know whether he did or not; he did not know anything about it from me.

Q. I suppose if he had he would have taught you a lesson?

A. I don't know whether he knew about it or what he would have done; I never spoke a word to him or him to me; the lesson was on the other side I think.

By Mr. BLAKE.—Q. You say at the time these offers were made, that the Government had a well defined timber policy?

A. Yes, I believe they had.

Q. Which they refused to alter?

A. They refused to alter; Kirkland told me that they refused to alter it.

Q. They had been interviewed by some people on this question of the timber policy?

A. Kirkland told me, that he had interviewed them himself, and that he had got other members to interview them.

Q. Therefore, at that time, voting against the timber policy, would be voting against the Government?

A. Certainly; it would be a vote of want of confidence, that is what I understood.

Q. So it was immaterial to these men how it was accomplished, whether on the timber policy or whether it was a vote against the Government?

A. It appeared to be the object they had in view to defeat the Government, and it did not appear to me to make any difference what shape it was, if they defeated the Government.

Q. Did you ever go to Mr. Meek, without any invitation?

A. Never.

Q. Or to Wilkinson's room?

A. No; well I may have; Wilkinson said to me, "I never lock my door, you may go up whenever you like and see me."

Q. So there was either a general or special invitation?

A. Yes.

Q. Mr. Meek asked you about the invitation to his room?

A. Yes; Mr. Wilkinson made an arrangement with me to see Mr. Bunting, and when I got there, I was showed to Mr. Meek's room, and they were both there.

Q. Did Mr. Meek express any surprise?

A. Not at all; he had this agreement drafted out, and the note prepared; they were not in the room, and no other person, and they appeared to fully understand their business, and what took me there, because they had the material part of the business done; Mr. Meek read this draft over for my approval, and then he went on to re-write it, and he appeared to be in a great hurry to get it done; the draft was actually drafted out, and my recollection was the note was signed; I saw the note signed; both names were on the note, no question about that.

Q. The very day that there was anything tangible that you could lay your hands upon you went at once and handed it over to the Speaker?

A. As soon as I could find him; did not keep it a moment in my possession longer than I could well do it; I was anxious to get rid of it.



Q. When Mr. Kirkland spoke about the currency, did he define what he meant by currency?

A. Well, I understand him to mean the money; he thought, I think, he could get cheques, drafts, or something passed off; he was talking about cheques.

Q. But he must get the money itself?

A. Yes.

NICHOLAS AWREY, called by Mr. Blake, and sworn:

Q. You are member for South Wentworth in the Ontario Legislature?

A. Yes.

Q. And were so during the last sittings of the Legislature in January?

A. Yes.

Q. Did you at any time see Mr. Kirkland there about the House?

A. Yes.

Q. Where were you boarding?

A. At the Rossin House.

Q. Mr. Kirkland was also boarding there?

A. I believe so.

Q. How long after the session of the House opened did you first see Mr. Kirkland?

A. I first noticed Mr. Kirkland almost immediately after the session opened at the hotel.

Q. Was he frequently or the reverse at the House?

A. Well, he was frequently during the session.

Q. When was it you were first introduced to him?

A. He introduced himself to me on the street one day.

Q. About how long after the 23rd January would that be?

A. I think about a week.

Q. What was then the subject of your conversation?

A. He said to me, "I am a stranger, and I am somewhat interested in the timber policy of the Ontario Government; I would like to have a talk with you," and I said to him, what was the conversation that he wished to have; he said that the timber policy of the Government, in his opinion, was not in the interest of the country; he explained what he considered would be the policy that would be more in the interests of the country, and would be of advantage to those owning mining lands, too, in the neighborhood of the boundary between the United States and Canada.

Q. Did he know that you were a member of Parliament?

A. Yes, he said he had seen me in the House; we had frequent conversations; he explained what he desired, and he said that he wished the timber policy changed; my advice to him was to see the Commissioner of Crown Lands; he said that he would, but he was a stranger, and he would like to have some assistance in the matter. A few days afterwards he said he had seen the Commissioner; he asked me if I would speak to the

Commissioner ; I asked him to explain his views on the question, and I said I certainly would speak to the Commissioner : I asked the Commissioner if he had had an interview with a man by the name of Kirkland ; he said that he had : I asked him what his views were with regard to Mr. Kirkland's opinions of the timber policy, that would be most applicable to that part of the country ; he said that it would be an entire reversal of the policy of the Government.

*Q.* Then you found that the Government had a defined policy upon the question of the timber limits ?

*A.* Yes sir : I knew that they had.

*Q.* And that this proposition was one that was a complete reversal of their policy ?

*A.* Yes sir.

*Q.* Did you inform Mr. Kirkland of that ?

*A.* I told Mr. Kirkland that the Commissioner of Crown Lands said that his wishes could not be granted ; that it was an entire reversal of the policy of the Government.

*Q.* Then did Mr. Kirkland put the matter to you in any other way ?

*A.* He did not.

*Q.* Or make any offer to you ?

*A.* He did not.

*Q.* Directly or indirectly ?

*A.* Not until after he had told me that he had seen a number of members of the House ; he did not tell me who they were, and said that they were going to vote for his policy. I used rather strong language with regard to men who would take a course of that kind, and he said, "Well, I will bet you \$10,000 you daresn't vote against the Government."

*Q.* Did he then understand this as simply being a vote against the timber policy as opposed to a vote against the Government, or that it covered a vote against the Government ?

*A.* That is the remark he made ; I said to him, "If you continue this course, the probabilities are you will find yourself in the Penitentiary : " he said he was only joking.

*Q.* He is not a very facetious looking man ?

*A.* Well, I think he was a jovial man.

*Q.* But joking, do you think so, on the occasion of the offer ; did he look serious ?

*A.* He looked somewhat annoyed at what I was saying ; however, Mr. Kirkland in his interviews with me until that time, always said it was a policy that could be discussed upon its merits.

*Q.* How long before the 17th March was it that he put it in this other way to you, to bet you \$10,000 that you would not vote against the Government ?

*A.* That was just a few days before.

*Q.* Matters were culminating ?

*A.* Well, he told me so, and I was aware of the fact.

*Q.* Did he tell you how many members he had been enabled to secure ?

*A.* He said he had not attempted to secure them ; he said they had been secured.

*Q.* Did he tell you how many ?

*A.* He said there were several ; he did not get nearer than that ; he would not tell me any of the names ; I asked him ; I don't know that he could have told me.

*Q.* Did you ever meet Mr. Wilkinson ?

*A.* Never met him, or had any conversation with him ; never met him on the platform.

*Q.* Did you ever see Mr. Kirkland with Mr. Bunting ?

*A.* I never saw him with Mr. Bunting.

*Q.* Or overhear him with Mr. Bunting ?

*A.* I heard he and Mr. Bunting in a room next to mine.

*Q.* About what time was that ?

*A.* Two o'clock in the morning, after the House had risen.

The CHAIRMAN.—*Q.* Who did you hear with Mr. Bunting ?

*A.* Mr. Bunting and Mr. Kirkland ; I could distinguish their voices.

Mr. BLAKE.—*Q.* About how long before the 17th March would that be ?

*A.* I think a week ; I would not be positive.

*Q.* Would it be about the same day the bet was presented to you ?

*A.* It was the night before.

The CHAIRMAN.—*Q.* It was in Kirkland's room was it ?

*A.* They were in Kirkland's room.

Mr. BLAKE.—*Q.* How did you come to hear ?

*A.* He was occupying the room next to mine ; they are a suite of rooms ; there was only a door between them and a fan light, and it was turned ; I could not hear the conversation more than I could distinguish the voices.

*Q.* You know they were there till two o'clock in the morning of the day before you had the offer made to you, which you have just referred to ; you did not know as a matter of fact what the subject of their conversation was ?

*A.* Only what Mr. Kirkland told me in the morning ; he said to me in the morning, " Mr. Awrey, did we disturb you last night ? " I said, " Not to any extent," I said " You were rather jovial," he said, " Could you distinguish the voices ? " I said, " Mr. Bunting was there," he said he was ; then he told me what Mr. Bunting's conversation was ; he said Mr. Bunting came to see him about his timber policy, and had told him that the Opposition were going to assume the responsibility of introducing a resolution in connection with it ; I asked him whether Mr. Meredith was present, and he said he was not, the night before, but there was a man representing Mr. Meredith in the room ; he told me the nature of the resolution, and I asked him if he knew what the resolution meant ; he said he did not ; I said, " It resolves itself into a vote of want of confidence," and he apparently did not understand what a vote of want of confidence meant, or he said he didn't ; I explained it to him, and I gave him a little counsel then ; my counsel was, for him to have nothing to do with any such arrangement as that ; he said he was not,—that it was the Conservative party, and it had been decided in the caucus ; I told him he was a stranger, and I trusted he was not using any unfair means to accomplish the object that he had in view ; he said he was not, as far as he was personally concerned.

Q. Then what was it that he mentioned as to Mr. Bunting in the conversation?

A. He said that Mr. Bunting had told him, as I have already mentioned, that the Conservative party was going to assume the responsibility of introducing the resolution in connection with the timber policy of the Government, and agreeing with his suggestions; he further said to me that Mr. Meredith had asked him to furnish him with the necessary documents to discuss the question intelligently, and that he had done so.

Q. Was it on that occasion that you went on and said, "You know that that means a vote of want of confidence?"

A. It was on that occasion; and it was on that occasion that he said that there was a number of men going to support this resolution on the liberal side; a number of men he said, also, were going to speak in favour of it, but vote with the Government, and I characterized those men as scoundrels, and then it was that he made this suggestion in regard to voting against the Government, but said it was in a joke.

Q. Had you any further interview with Mr. Kirkland subsequently to the offer he made to you?

A. Not until I saw him in the Police Court; I asked him if he had got his timber, and he said he had not, he had got in a jail.

Q. Went to stonework instead of timber work?

A. He told me, also, at this time, that he was giving me his confidence; it was voluntarily, too, I never sought it; that Mr. Bunting had assured him that the protest would be withdrawn against Mr. Lyon's election; he is the only man whose name he mentioned; and that the documents were all in a safe in the *Mail* building, and that he had seen them.

Q. That is, all the documents relative to the protest?

A. To the protest.

Q. As a matter of fact you recollect that it was looked upon then that the Government majority would be narrow?

A. It was understood.

Q. And that four or five votes would be a matter of very great moment to the Government?

A. Yes, sir.

Q. Were you also aware of certain matters between the Ontario and the Dominion Government being matters in which there was a grave dispute—Streams Bill and License?

A. I certainly was.

Q. And there had been a great struggle at the polls to endeavour to overcome the Reform party for the purpose of bringing it into harmony with the powers in Ottawa?

A. I was aware of that.

Q. A very considerable number of the elections were protested?

A. Yes, sir, I think in the neighbourhood of thirty-seven or forty.

By Mr. CASWELL.—Q. I suppose you have not heard of Mr. Kirkland taking an part in the politics of Canada?

A. I never knew him to.



Q. He had nothing to do with your election protest?

A. He had not.

Q. Or in the matters between the two Governments, between the Ottawa Government and this?

A. I don't know.

Mr. BLAKE.—I am not pretending that he was.

Q. That \$10,000 bet, do you think it was a serious matter?

A. Well, I don't think Mr. Kirkland had the money.

Q. I suppose you have been quite a while at the Hotel, and had been in the habit of meeting frequently?

A. Yes; I had measured the man; he was a man of good social qualities.

Q. You did not think there was anything wrong of his making a joke of that nature?

A. Well, I did not feel it any compliment for any man to make a suggestion of that kind.

Q. You spoke to him as a gentleman, and thought it was not safe, and he said it was a joke?

A. That was the reply.

Q. As I understand, it was a proposal to bet \$10,000 that you would not vote against the Government?

A. Yes.

Q. I suppose he would be sure to lose that?

A. Yes, sir, he would have lost it, because I would not vote against the Government, I don't think that Mr. Kirkland had any idea that I would, either.

Q. You say you went to the Commissioner to see him at Mr. Kirkland's request?

A. Yes.

Q. Did Mr. Kirkland's proposal seem a reasonable one to you after you had heard it, before you went to the Commissioner?

A. Well, I did not understand much of the nature of the country; if he represented it as it was, it was a very plausible story, still I expressed no opinion on it one way or the other.

Q. I suppose having gone to the Commissioner, that you must have had some idea that it was a reasonable one, or you would not have wasted your time going to the Commissioner?

A. I would comply with a reasonable request of almost any man.

Q. You must have thought it reasonable or you would not waste your time in going to the Commissioner; you were here representing an Ontario constituency and not an American?

A. I was not representing an American constituency.

Q. You must have thought there was something reasonable in his proposal?

A. There was something reasonable in his proposal, for he represented it from time to time.



Q. So you went to the Commissioner, and from your conversation with the Commissioner you changed your mind on it?

A. I did not change my mind at all ; I had not made up my mind one way or the other.

Q. You did not think it so reasonable?

A. I did not discuss the matter with the Commissioner.

Q. Did the Commissioner explain to you the difference in the change?

A. I knew the difference.

Q. Did the Commissioner ask you to speak to Kirkland?

A. He did not.

Q. Then your going afterwards to him was simply your own motion?

A. It was my own motion.

Q. It was not at his suggestion?

A. Not at all.

Q. Do you think that any conversation you have ever had with Kirkland would lead him to think that if he could get the Opposition to vote in favor of this that the Government would change their policy?

A. Never, not from any conversation he ever had with me.

Q. Was there any conversation in that line at all?

A. Not at all with me.

Q. Between you and him?

A. Yes, he asked me if I thought it would not be a good idea for the Opposition to introduce such a resolution ; I told him that certainly if the Government changed the policy it would forever close the mouth of Mr. Meredith, but I added this, that I did not think that Mr. Meredith was sufficient fool to commit political suicide.

Q. How did you put that again?

A. I said that if the Government did reverse their policy, that if the Opposition moved such a resolution, it would forever close their mouth.

Q. You did not give him to understand that if they moved it the Government would change in any way?

A. I did not, because I knew they would not ; I knew they would not change the policy.

Q. You understand this change, that Mr. Kirkland advocated ; do you think it would be a serious wrong if it were made?

A. I do not understand the nature of the country sufficiently to express an intelligent opinion on the question.

Q. It is not a thing that the two political parties would divide upon?

A. Well they might easily divide upon it ; if the Opposition according to our form of government, would introduce a resolution in going into the Committee of Supply, regretting that the timber policy of the Government was not in a certain direction, certainly it would be a want of confidence, and there would be a division in the party.

Q. At some other stage it would not be a want of confidence would it?

A. Well, if they would introduce a motion of that description, and it was carried in the Legislature against the wishes of the Government after they expressed their opinion, it certainly would be a want of confidence in the Government.

Q. Supposing that the Government introduced the matter in the Speech, and a member got up and moved that in his opinion or in the opinion of the House it would be advisable to change the timber policy?

A. The Government then would either have to change the timber policy or resign, because they would not be in accord with the opinions of the Legislature.

Q. That motion, not coming up in Committee of Supply, would not be a want of confidence in the Government.

The CHAIRMAN.—It might be a want of confidence at any stage of the proceedings.

Mr. BLAKE.—Certainly; it is the general policy, whether or not it is in accord with the opinion of the country.

WITNESS.—I do not know that our constitution would compel a government to resign in such a case, but it would certainly bind the executive if the majority voted for that, or otherwise, if they could not coincide with the views of the Legislature, they would necessarily have to resign.

Q. Was not Mr. Kirkland more anxious to have a discussion than to have a vote?

A. I think he was anxious to have his pine, his timber.

Q. Was he not more anxious just to have the matter discussed than anything else?

A. Well, I imagine that Mr. Kirkland, as a business man, was anxious to have it discussed, and discussed effectually, so as to convince the House.

Q. Was not his line, as far as you understood it, to get the matter before the House in some way?

A. That is what he always said to me.

Q. It was not a question with him then, as far as you understood, whether one Government or the other Government granted it?

A. He never mentioned the defeat of the Government in connection with any matter.

Mr. BLAKE.—Q. This timber question is one of the important items in the country?

A. It is; largely our revenues are derived from the management of it.

Q. And the policy of the Government is very important?

A. Very important.

Mr. CASWELL.—There might be more revenue derived from his plan than this?

A. That is a matter of opinion.

Mr. CASWELL.—Mr. Fenton has been called by us; he is anxious to get away to the sea-side, and it is a little out of order to have him called at this stage.

The CHAIRMAN.—I am very anxious to get away myself.

Mr. CASWELL.—His evidence will only take a few moments.

The CHAIRMAN.—I have no objection.

FREDERICK FENTON, called by Mr. Caswell, sworn :

Q. You are the Crown Attorney for the County of York ?

A. Yes.

Q. Did you have anything to do with the arrest of Mr. Kirkland ?

A. I directed the detectives to arrest him ; handed them the warrant ; the arrest took place on the 17th March ; I visited the police station that night after the arrest ; I did not see Kirkland there that night ; Inspector Ward produced, for me to examine, papers which he said he took from Kirkland on his arrest ; I saw those papers ; I made copies of some ; after I got through with the papers I handed them back to Inspector Ward ; I took none of them away.

Q. When did you see the original documents again ?

A. The first time I saw them, was when they were produced before the Police Magistrate on the investigation before him.

Q. The 17th March was on Monday ; on the Tuesday they were of course at the Police Court ; do you mean on that occasion ?

A. No, not then ; after the adjournment, when the papers were produced.

Q. After the first adjournment of the Police Court you saw them then ?

A. I did after the adjournment, saw some of them.

Q. Do you know whether all the documents that were with Inspector Ward were produced at the Police Court ?

A. So far as I am aware every one of them were produced there.

Q. Did you take a list of them the first night ?

A. I did not ; I took no list of them ; just took a copy of such as I thought it was desirable to copy.

Q. I am informed that on the Tuesday, when this matter was adjourned at the Police Court, on the Tuesday afternoon after the adjournment that you produced those documents up at the House ?

A. It is not correct ; I never produced any documents except the copies I took—my own handwriting copies.

Q. You produced that ?

A. Yes, I produced none of the documents themselves to anybody.

Q. When did you order this arrest ?

A. On the evening of the 17th March, Monday.

Q. Is that the first time the matter came to your knowledge ?

A. Oh no ; I had prepared the papers, the information and the warrant before then.

Q. When before then ?

A. That day ; I had heard about the matter first, I think, on Sunday.

Q. You do not think you had heard of it the previous week at all ?

A. Never.

Q. Do you know whether the information was sworn to, before the warrant was issued?

A. It was.

Q. I see it bears date the 17th?

A. I know that; it was sworn before the warrant was issued.

Q. Did you furnish any of these documents to the newspapers?

A. I did not.

Q. They were produced to the newspapers?

A. Not through me, either directly or indirectly.

Q. Where were these documents?

A. Some of them were up in the Police Court, and I suppose they are up in the Queen's Bench, and those that are not up there I suppose are in the custody of Inspector Ward.

Q. Some were produced here to-day by the Speaker?

A. I suppose those were handed back to the Speaker; they were produced before the Magistrate, but they were handed back to the Speaker as the custodian of the Legislative Assembly.

Q. Those that were not sent by yourself to the Queen's Bench?

A. No, those that were handed back to the Speaker.

Q. Were there any documents of Kirkland's, returned to himself?

A. There were some: at the close of the enquiry before the Police Magistrate, Mr. Kirkland made an application to get back some private letters that were in no way concerned in the affair at all, that were in his pocket book with these papers, and with the consent of the Crown Counsel I gave them back to him.

Q. So far as you know, all those documents except the private documents were returned to the Speaker?

A. Yes, they were returned to the Speaker; I don't know what documents were returned here on the *certiorari* proceedings; they will speak for themselves; a schedule was made of these documents, and they will be easily got in the Queen's Bench if there are any such.

Q. You do not know whether there were any sent directly up or whether the Speaker got all of them back.

A. I could not say as to that.

Q. Did he not send a messenger down to bring the papers down and take them back again?

A. There was a messenger there, but I don't know whether the papers were given to him, or whether the Speaker got them himself.

By Mr. BLAKE.—Q. Are all the papers you saw on that evening, either in the Queen's Bench under the *certiorari*, or produced here?

A. I don't know what papers are produced here.

Q. There are eight papers produced here, said to be the papers that were handed back to the Speaker; do you know as a matter of fact how many papers were handed back?

A. I do not; I took no record of them.



*Q.* Of those that were handed back to Mr. Kirkland, did you look into those yourself?

*A.* I did; I was required to do that by the Crown Counsel, and I saw that they had nothing whatever to do with this; they were merely private letters, no way relating to it.

*Q.* Was there anything that caused you to hasten the arrest of Kirkland on the Monday?

*A.* Yes, I was afraid that he might escape.

*Q.* So you felt that it was necessary?

*A.* Yes, I urged them to use all expedition.

*Q.* That was the report?

*A.* Yes, that is what I understood; there was danger of his escape.

MR. CASWELL.—The Police Magistrate is here, and he holds court every day at ten o'clock, and cannot tell what hour he can be here.

MR. BLAKE.—I have no objection to his being examined now.

GEORGE TAYLOR DENISON, called by Mr. Caswell, sworn,

*Q.* You are the Police Magistrate of the city?

*A.* I am.

*Q.* Do you remember the time that Kirkland was arrested?

*A.* I remember issuing a warrant for his arrest; I should think about half-past five o'clock in the afternoon; between that and six, I am not quite sure.

*Q.* And the information that was sworn to, I suppose at that time?

*A.* I administered the oath at that time and issued the warrant.

*Q.* Do you know anything about these documents having been produced at the Police Court?

*A.* I remember documents being produced at the Police Court.

*Q.* Do you know anything about them being taken from his person?

*A.* Nothing except what I heard in evidence.

*Q.* Did you give instructions, or who is it gave instructions to these Inspectors to take documents from persons?

*A.* Well, I don't ever remember giving instructions, but it has been the rule of the police force for years and years that all prisoners on being put into the cells are searched first; that is a precaution that is always taken.

*Q.* What is the object of that search?

*A.* The object of that search is to see in the first place that they have not got weapons or property or anything that might be stolen by other prisoners; that they may not have things that could be given to other prisoners that would enable them to get out or escape; they are always carefully searched before they are put into the cells; if they are not, the police do not do their duty.

*Q.* Did you give them authority to take letters and documents?

*A.* As I told you, I gave no authority at all; this was a rule of the Force long before I was Police Magistrate.



Q. Even for misdemeanor ?

A. For anything ; for drunkenness. Anything they take is put up in a parcel and marked with the name of the prisoner, and then when he is released the things are given back to him. If a man has got a knife or a watch, or anything, it is taken from him.

Q. I understood if he had a watch you only took that from him at his request ?

A. Oh, no ; I believe those instructions are what the Police have ; the Police had the instructions before my time ; they have never been changed or varied.

Q. Suppose these documents have been hawked around the country in the meantime ?

A. It would not be right for them to do that ; I don't know that they have been told either one way or the other, but it would not be right to do that.

Q. When did you first know about this matter for which these prisoners were arrested ?

A. Two detectives came up to my house sometime in the afternoon, about half-past four, in a cab, and said I was wanted ; I did not know what for ; that was Monday the 17th March, and I drove down to the town and saw Mr. Fenton, and he told me that there had been some attempt to bribe the Legislators and so on, and I had some conversation with him ; the information was drawn out, and I looked over some law books about the law on the subject and discussed it with him to see what should be done. I suppose we may have had fifteen or twenty minutes' discussion about it, and then I issued a warrant.

Q. Did you give any instructions to search their hotel trunks ?

A. No, I gave no instructions except to issue the warrant against the two and to serve the summonses the same night against the other two, who were citizens of Toronto, and it was not thought necessary to issue warrants for them.

Q. These prisoners appeared on Tuesday morning in the Police Court the next morning after the arrest ?

A. I fancy so.

Q. Did you give any instructions to Inspector Ward to take these documents away from the Court to any other place ?

A. Well, I can't say that I gave him instructions ; he came to me and told me that he had received a summons from the House to take some papers which were in his custody to the House, and I told him to obey the summons but to explain that they were impounded for the use of the Court, that they would be required, as I understood, for the use of the Court, and that they were in the custody of the Court, and to bring them back again, when I afterwards was informed by him that a certain number of the papers had been detained by order of the House.

Q. Then all the documents that he took away were not brought back to you ?

A. I don't know what he took away, I did not see them ; I don't know what he brought back, I don't remember ; the papers were brought back, most of them ; all the important ones that were used in the trial were brought, some by Speaker Clarke himself, and some by his clerk, and under the promise that I would allow them to be handed back as soon as they were used, and every day they were handed back into the custody of the Speaker, through his clerk, who sat there during all the time of the trial.

Q. You told Inspector Ward that they were impounded ?

A. I told him he was holding them for the Court, and when he took them up there they carried a resolution in the House keeping them, and he came back and reported that

to me, that they had kept a number of the papers ; when they were subpoenaed to bring them down (I think the Speaker was subpoenaed), there was considerable discussion in the Court as to whether, when they were put in, I would keep them or not, and after considerable discussion the Speaker promised that he would have his clerk there to show them all the time, as they were wanted, as long as the proceedings lasted, and that I was to give them back to him all the time, as the House had passed this resolution ; and I accepted that, and every day as they were used I handed them back to the Speaker's secretary ; and he came down the next day, and as they were used they were looked at and handed back ; they have never been in the hands of the police since that day they were taken to the House ; they were temporarily used in the Court at the hands of the clerk.

Q. The prisoners cannot get the documents back ?

A. They cannot get them back from me, anyway ; the case has gone to another Court.

By Mr. BLAKE.—Q. You have not got these papers in your possession at all ?

A. I have not ; I never did have them. The Inspector had them for some time.

Q. All you know is that the Inspector had some papers, and some, under a summons of the House, went there ?

A. Yes ; I never saw them till after they came back from the House ; I never saw the papers till these came back.

Q. Those that came back, what did you do with them ?

Mr. BLAKE.—Is there any particular paper, Mr. Caswell, that you desire to get ?

Mr. CASWELL.—All we want is, that those papers were taken from us ; we want to trace them out.

WITNESS.—I think at the end of the investigation before me, an application was made before me by Mr. Kirkland's lawyer that he should have back papers that had no reference to this, and I consented to that as far as I was concerned ; I think those papers were in the possession of Inspector Ward and Mr. Irving, or Mr. Fenton ; I presume Mr. Fenton looked them over, and I presume gave them back ; I gave him orders that any papers that were not connected with the case should be given back.

Q. You have no papers ?

A. I have none ; some went with the *certiorari*, and Mr. Speaker got the others ; they were never in my possession except just temporarily on the table.

Q. They were taken by Inspector Ward up to the House ?

A. Of course he did not produce them before he took them up to the House ; he came and said he had a summons ; that was before the case came on before me ; in all cases where prisoners are arrested, I understand it is a standing rule of the Force that they are always searched, and any property taken from them,—in fact, only the other day we had an investigation because a man was searched, and by some means they escaped discovering one hundred and odd dollars that the man had on his person, and it was stolen from him afterwards, and I had to investigate to see how it was he was not properly searched ; it was stolen in his cell and passed to some one outside.

Q. Your rule is very strict ?

A. I have always understood that was the rule ; I have never seen any good reason for varying it.

Mr. CASWELL.—It would be a good rule if we were furnished with the names of witnesses the day before they are going to be examined.

The CHAIRMAN.—I cannot direct that any particular witnesses shall be examined on any particular day.

Mr. MEEK.—Would your Lordship allow me to ask the witness, Mr. McKim, a question before he goes.

The CHAIRMAN.—Yes.

ROBERT MCKIM, recalled, examined by Mr. Meek :

Q. Who prepared the written statement of your evidence that you read, or attempted to read before the Committee of the House?

A. It was the short-hand writer wrote it out ; I dictated it and he wrote it.

Q. Who was it?

A. Mr. Gibson ; he took it down in short-hand first, and then wrote it out ; I corrected it afterwards.

Q. Did any person else see it and go over it too?

A. Not in my correcting ; Mr. Pardee saw it, but I did the correcting.

Q. Before it was brought before the Committee of the House?

A. Yes.

Q. Did any person else see it?

A. Not that I know of.

Mr. BLAKE.—You made the corrections?

A. I made the corrections.

Q. Were any alterations made afterwards?

A. They were all made by myself, by my own order.

Q. It was simply to show what you could say, that you made the statement out?

A. Yes, I prepared the statement myself, and I prepared nothing that I was not prepared to stand by.

Court adjourned at 5.30 p.m. till 10 a.m. to-morrow.

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## SECOND DAY.

TORONTO, Tuesday, July 15th, 1884.

The Commission opened at ten o'clock.

Mr. MEREDITH.—There are certain members of the Government party and the Opposition who have been subpoenaed in this trial. Public meetings are now being held in certain portions of the Province by members on the Government and Opposition side respectively, in the discharge of what they conceive to be their public duties, and for the purpose of meeting the electors. I have been speaking to Mr. Blake and Mr. Johnston to see if it could not be arranged that a day should be fixed, earlier than which such members

should not be required to be examined. The elections in Muskoka are to be held on Wednesday week. I was going to ask the Commissioners whether, in view of these circumstances, it could not be arranged that we should not be called until that time.

The CHAIRMAN.—You do not propose to stop the investigation on that account?

Mr. MEREDITH.—Oh, no; we would like simply to arrange the time, as these witnesses have to perform what they regard as their public duty.

Mr. BLAKE.—We are quite willing to assist in that way as far as possible, as I think my friend Mr. Johnston told Mr. Meredith. We said if you leave us the name of a place at which we can telegraph you, and from which you can come within twenty-four hours, we will be quite willing; but we do not know in the first place whether it is the intention to call many, or any, of these witnesses. It was the intention to have them subpoenaed, so that if it was desired by any of the other parties they would be on hand before the Commission. So I think it could be arranged with Mr. Meredith in a few minutes as to which witnesses may be called, and as to the others, so far as I am concerned, I would have every disposition to accommodate him in that matter. What we desired was, that any name suggested who might be needed, and a good many others as to whom there was no suggestion, we subpoenaed, and paid their expenses, and had them here, so that if the Commission desired, or the counsel representing any person desired, they could be examined. I have gone through the case with Mr. Johnston, and I do not think that as to a good many of these, we would call them at all.

Mr. MEREDITH.—I quite agree with Mr. Blake as to Mr. Johnston's desire to accommodate us, though that does not agree with what was suggested in one of the newspapers, that all the members of the Opposition would not want to be back from Muskoka to attend the enquiry.

Mr. BLAKE.—I think if I were to read the papers I could light upon some column which I do not think my learned friend would like to have presented against him.

Mr. MEREDITH.—It certainly would not do to have these witnesses called by telegram on 24 hours' notice, after, perhaps, a meeting had been called. My suggestion would be that as there are only 4 of them—

Mr. BLAKE.—If you will give me the names I will tell you in a moment whether we will want them or not.

Mr. MEREDITH.—But these gentlemen *desire* to be examined; they do not want the enquiry to close *without* their being examined.

The CHAIRMAN.—From when do you propose that they should be at liberty? From now?

Mr. MEREDITH.—Yes.

The CHAIRMAN.—Could they not be examined now?

Mr. MEREDITH.—Yes, if that would suit Mr. Blake; though I do not know that that would be satisfactory, for until the whole matter is closed they do not know what they might want to answer.

The CHAIRMAN.—I think the application is a reasonably enough one under the circumstances. We agree that these gentlemen should not be examined until after the elections.



Mr. BLAKE.—Unless we desire to prolong the investigation I do not think it will take until anything like up to Thursday week ; so that there would virtually be an interlude.

The CHAIRMAN.—We are anxious to get through with the investigation for many reasons.

Mr. MEREDITH.—I can quite understand that. But your Lordships will see that this other matter is, as we conceive, a public duty.

Mr. BLAKE.—So far as those are concerned who are supporters of my hon. friend—the other party—they could simply go on the understanding that there is a station and a telegraph office where they could be reached, and from which, in order to return in time, they could come.

Mr. MEREDITH.—What does that amount to when the persons retained by my hon. friend are the persons to be examined ?

Mr. BLAKE.—They must be summoned by Friday or Saturday of this week to be examined at all.

The CHAIRMAN.—I suppose that it being an election they want to see it through, I do not think it would be very reasonable to undertake to call them back upon a telegram.

Mr. BLAKE.—I simply intimate to the Commissioners that I do not think the enquiry will last further, so far as I am concerned, than until Thursday.

The CHAIRMAN.—Then we will have to go back again—a thing which we are very unwilling to do ; but at the same time, as the request seems to be a reasonable one, we would like to accede to it.

Mr. BLAKE.—Who are the four gentlemen ?

Mr. MEREDITH.—Mr. Carnegie, Mr. Creighton, Mr. Ermatinger and myself.

The CHAIRMAN.—Our ruling is, so far as these gentlemen are concerned, they are not to be called before Friday week, the 25th inst., and they are to be examined on that day.

WILLIAM WARD, called by Mr. Blake, sworn.

Q. You are an Inspector in the Toronto police force !

A. Yes ; No. 2 Division.

Q. And you got some papers from a Mr. Kirkland on the evening of the 17th March last ?

A. About 9 P.M. on the 17th of March last Mr. Kirkland was brought to No. 2 Police Station by Mr. Rogers.

Q. He is a detective ?

A. Yes, so far as I know, a Government detective ; he was brought there on a warrant charging conspiracy.

Q. Then as to the searching for the papers ?

A. Mr. Kirkland was put in the corridor, and it was then suggested—it had been quite overlooked at the time—that he should be brought out and searched ; he was brought out and searched by Mr. Rogers and Sergeant Breckenreid.



Q. You were present ?

A. Yes, I was present.

Q. And those papers were found ?

A. The papers found on him were handed to me by Rogers.

Q. Were those five the papers ?

A. Yes, sir.

Q. Those papers were found on him ?

A. Yes.

Q. Then did you also search Mr. Wilkinson ?

A. Wilkinson was brought to the station about 5 minutes after Kirkland on the same night by Mr. Murray on a warrant ; he was searched, or rather he searched himself in my office, and handed out what papers he had to me.

Q. Were those three among the papers ?

A. Yes, those papers were found on Wilkinson.

Q. Now, you were asked before as to whether you found a paper on either Kirkland or Wilkinson that was signed, and had Mr. McKim's or Mr. Lyon's name—a paper similar to that (exhibiting paper to witness) ?

A. No ; well, the papers were not examined, of course, until Mr. Fenton came to the station ; he and I examined them together.

Q. Then you made a thorough examination ?

A. Yes, and those papers required to be kept were put aside by Mr. Fenton.

Q. Did you find a paper with Mr. Lyon's or Mr. McKim's name ?

A. No, sir.

Q. And these three papers were found with Wilkinson ?

A. Yes.

Q. Then had you anything further to do with the papers ?

A. Well, I kept the papers I should say about—I think it was between six and seven the following day—I was subpoenaed to produce the papers before the Legislature.

Q. Then they at once strayed from your custody ?

A. Yes.

Q. But no person had them but yourself until the Legislature got them ?

A. No, sir.

Q. As to the searching, was it according to the practice of the police ?

A. Yes ; I have been over 20 years on the force, and it has been the usual practice to search every prisoner brought to the station for the purpose of preventing crimes in the cells, and for protecting one another.

Q. That is the universal practice, and you followed it ?

A. Yes.

*Cross-examined by Mr. Caswell:—*

*Q.* Did you make a search yourself on Mr. Kirkland?

*A.* No, but I was present.

*Q.* Did he voluntarily give up the papers?

*A.* Yes, he voluntarily gave up the papers.

*Q.* Did you say anything to him to lead him to suppose that he had to give them up?

*A.* I did not say anything to him.

*Q.* Who made the search?

*A.* Rogers.

*Q.* Detective Rogers the man who arrested him?

*A.* Yes.

*Q.* Does he belong to the city police or detective force?

*A.* No, he does not.

*Q.* It is your practice to search every prisoner, no matter for what crime he may be arrested, even for drunkenness?

*A.* Yes.

*Q.* And the papers were taken from him?

*A.* Yes.

*Q.* Were they left so that any person could have access to them that evening?

*A.* Well, I may say that really there was no importance attached to them until after they had been examined by the Crown Attorney; but in answer to your question I may say that I had to leave the station for about an hour or an hour and a half somewhere about 9 o'clock or 9.30, or perhaps I left earlier, and the papers were left on my desk. Sergeant Breckenreid was left in charge of the station, but I really considered them in my possession all the time.

*Q.* Had any person permission to go in?

*A.* Certainly not.

*Q.* Any person visiting the station?

*A.* Not without the sanction of the officer on duty; that was Sergeant Breckenreid.

*Q.* Beyond him no other person could have access to them?

*A.* No.

*Q.* Unless they violated the rule?

*A.* Well, I suppose they would have to forcibly violate the rule.

*Q.* Is there anything to keep the public from touching them; is there a barricade?

*A.* An office is partitioned off, and no person is allowed inside except with the express sanction of the officer on duty.

*Q.* Is it a separate room?

*A.* No, the same room only partitioned off about five or six feet high.

The CHAIRMAN.—Have you lost any papers?

Mr. CASWELL.—We want to find out whether they are all here. These people took the papers from him and did not supply a list as they should have done.

The WITNESS.—I have some of Kirkland's papers now which I am keeping under command of the Court, or of the County Crown Attorney. After the trial before the Court, all the papers not left in charge of the Court were re-examined by Mr. Fenton, and Mr. Kirkland was given all the papers that Mr. Fenton thought it proper he should have. The others I have now in my custody.

Q. They are all either in Court or in your possession?

A. He had some returned to himself, but with that exception, yes.

Q. You say the Court has some?

A. By that I mean the Legislature.

Q. Then there were three sources; what Kirkland took himself, what you have, and what the Privileges and Election Committee took; these form all the documents?

A. Yes.

Q. Did you produce the documents between the time he was arrested and the Police Court proceedings to any other body or person than the Committee on Privileges and Elections?

A. Only to Mr. Fenton.

Q. That night?

A. Yes. That was the only time I saw them—when they were examined then.

Q. No other person had access to them between the time you took them from him and produced them before the Police Magistrate, except the Committee on Privileges and Elections?

A. No other person.

Q. No member of the Government?

A. No.

By Mr. BLAKE.—Q. Where are those other papers?

A. In my desk in the office.

Q. I think you had better produce them. I presume the Commissioners desire that they should be produced.

Mr. CASWELL.—We have been trying for months to get copies of these papers. When we applied to the Police Magistrate he sends us to Inspector Ward, and when we apply to Inspector Ward, he sends us back to the Police Magistrate, and so on.

The WITNESS.—I beg your pardon. There has never been an application made to me for those papers since I have had them.

Mr. BLAKE —If my learned friends had applied to me they would have got them.

(Papers ordered to be produced.)

Col. C. T. GILLMOR, recalled by Mr. Blake, and sworn.

Q. You are Clerk of the Legislative Assembly ?

A. Yes.

Q. And have the custody of the minutes of the proceedings of that body ?

A. Yes.

Q. Have you got them here ?

A. Yes. (Producing them.)

Q. For what date was the House called at the last Session ?

A. The 23rd of January.

Q. Have you got copies of the Minutes of the House ?

A. I can leave the originals in Court.

Q. Will you tell me what was the date of the first vote which was taken ?

A. It was on the morning of the 6th of February.

Q. And what was the division upon that vote ?

A. There was a paragraph in the Address read, and Mr. Meredith moved the following amendment (witness here read amendment from Minutes of the House), upon which Mr. Hardy moved in amendment to the amendment as follows, (witness read amendment to the amendment from Minutes of the House). For the amendment to the amendment there voted 45 ; against it, 33.

Q. Do you know upon any Government measure what was the narrowest majority there was during the holding of the Session ?

A. I could not say, but it was in or about twelve.

Q. That seemed to be about the normal condition ?

A. Yes.

Q. Further on there was a resolution of the House that there should be a commission appointed to examine into these matters ?

A. You mean this present one ?

Q. Yes.

A. Yes.

Q. Please turn to the page.

A. It was on the morning of the 25th of March.

Q. Kindly read that resolution.

A. There was a report presented by the Privileges and Elections Committee recommending a commission, and Mr. Fraser moved, seconded by the Attorney-General as follows, (witness read resolution from Minutes of the House).

Q. Was that passed unanimously, or was there a vote ?

A. There was no vote ; it was unanimous.

*Cross-examined by Mr. Caswell :—*

Q. Have you the bills as passed—the different readings ?

A. Yes.

Q. Have you the one on elections passed the last night of the House?

A. Yes.

Q. Was it all passed during that one night, the 25th?

A. Oh, no, it went through several stages.

Q. Were any amendments made to it the night of the 25th or the morning of the 26th?

A. It was the morning of the 25th.

Q. There is one clause in the Act, the 46th. Was that in the Act when it passed the 3rd reading?

A. The Act respecting Enquiries into public matters?

Q. Yes. Is that the form in which it passed the third reading?

A. Yes, that is the place where the clause should be.

By Mr. BLAKE.—Q. Is that the roll of the House?

A. Yes.

Q. And it is signed by the Lieut.-Governor and by yourself?

A. Yes.

By Mr. CASWELL.—Q. Is that (handing witness a document) the form of the Act as distributed to members?

A. Apparently it is.

Q. Would that indicate the form in which the Act passed?

A. There might be typographical errors. This other is a *bona fide* document.

Q. This is the form which was submitted to members and passed the third reading. It would be passed in that form unless some members were moving an amendment?

A. Yes; but as I say this is the official document.

Q. Do you notice whether the 45th and 46th paragraphs are there?

A. Yes, I have seen this before.

Q. Is that the form in which it passed the House? Where was the mistake?

A. Certainly not by the Clerk.

Q. Is that the form in which it passed the House?

A. No, this other is. There may be typographical errors.

By the CHAIRMAN.—Q. Sections 45 and 46 are in the order they were in in the last edition of the Gazette?

A. Yes.

By Mr. CASWELL.—Q. Was there an error in the first edition of the *Gazette*?

A. Certainly.

Q. This was not the form in which it passed the House?

A. No, the other is.



By Mr. MEEK.—Q. How do you know that was the form in which it passed the House?

A. I am quite aware of the fact; I was present when this clause was passed; this section was passed on the night of the 24th, or the morning of the 25th, and I got distinct instructions from the Attorney-General; “recollect,” he said, “this is to go before the clause relating to Committees of Enquiry.”

Q. Do you produce the MS. copy of the Act?

A. No, it is probably in “pi;” this was between two and four o’clock in the morning, and I sent instructions to the Law Clerk next morning to let the Attorney-General see the bill before it was printed off, because there might be difficulty about this clause.

Q. That was after it had passed the third reading?

A. Yes.

Q. You thought there might be some difficulty then?

A. Yes, about the position.

Q. It was in the position in which it appears in the first issue of the *Gazette*?

A. I pinned it in the blank copy to be printed in its place.

The CHAIRMAN.—I do not think we need indulge any further in this examination, for we have the Roll of the House, which is signed by the Lieutenant-Governor and the Clerk, and we cannot go behind it; we cannot go into an investigation of the regularity of the proceedings of the House.

Mr. MEEK.—I submit to the decision of the Court, but, at the same time, if there has been any fraud practised, I think we should be allowed to investigate it.

The CHAIRMAN.—We cannot assume that there has been any fraud practised.

Mr. MEEK.—We do not ask your Lordships to assume it, but we ask to be allowed to prove it.

The CHAIRMAN.—I do not think we can enter into a consideration of that kind, or take evidence upon it; we must take the Roll of the House as an authentic record of its proceedings.

Mr. MEEK.—Supposing there has been a tampering with the roll?

The CHAIRMAN.—In that case you may have to make application to impeach the Ministers.

Mr. MEEK.—How can we do that, unless I show it here? I propose to show that this was the way in which the Bill passed the third reading of the House; that it passed in this form.

The CHAIRMAN.—What the Commission has to do is to enquire into the alleged attempts to corrupt members of the Assembly; it has nothing to do with the passing of the Act at all.

Mr. MEEK.—Another thing in furtherance of that view is, that it appears by the *Gazette* of the 29th of March, exactly as in this copy of the third reading of the Bill.

The CHAIRMAN.—Corrected three days afterwards.

Commissioner SENKLER.—The roll of the House being the original record, I really cannot see how we can go behind it.

*Q.* Can you tell me when that roll was signed?

*A.* Of course; I signed it on the 25th of March, and it was a day or so before His Honour signed it.

*Q.* How much longer?

*A.* I could not say; I have to make three copies for him to sign, and it takes a day or two.

*Q.* Was the alteration made after it was signed?

*A.* Certainly not.

*Q.* You say that the sections were changed after the third reading?

*A.* I do not say anything about the changes.

*Q.* I understand the bill passed its third reading as it is here?

*A.* I know nothing about that. It is a mistake for which I am not answerable.

*Q.* In the first place the Bill is in Committee of the Whole, and then it is reported with any amendments made in Committee.

The CHAIRMAN.—I think we have intimated our opinion clearly, that we cannot enter into this question.

Mr. MEEK.—I put in a copy of the *Gazette* on the 29th of March, and a copy of the Bill as read the third time.

The CHAIRMAN.—I do not think that this is a question that we can enquire into. I do not think these documents are evidence, though you can put them in.

By Mr. BLAKE.—*Q.* That which you produce is the original roll of the House duly signed by you and by the Lieut.-Governor?

*A.* Yes.

*Q.* Signed by you on the 25th, and by His Honor a few days afterwards?

*A.* Yes.

By the CHAIRMAN.—*Q.* The Act was passed as it appears on the records of the House?

*A.* Yes.

Mr. MEEK.—I understand him to say that he assumes that to be the case, because it is signed.

Mr. BLAKE.—No, the Attorney-General told him where the clause was to go, and it went there.

Mr. MEEK.—He told you *that* after the Bill passed the 3rd reading?

*A.* No, in Committee of the Whole before it passed the House.

*Q.* Did you put in the paragraph?

*A.* I pinned it in the proper place.

*Q.* Did you number the paragraphs?

*A.* I would not undertake to say that.

*Q.* Whose duty is it to number them?

*A.* Practically the clerk does it, though the Chairman of the Committee is supposed to do it.

*Q.* Do you recollect if you numbered them or not?

*A.* No, I cannot recollect.

*Q.* Mr. MEEK.—I submit that the Chairman of the Committee, who is here, should be heard on that point.

Mr. BLAKE.—I am not going into a point as to which the Commission has resolved that we have no right to enter upon it.

The CHAIRMAN.—I think we have no right or authority to investigate the proceedings prior to the passing of the Act. The Act itself is upon the Roll of the House, and that is indubitable evidence as to what the House did.

Mr. MEEK.—The court will kindly note that we tender the evidence.

WILLIAM D. BALFOUR, called by Mr. Blake, and sworn:

*Q.* You are the member for the South Riding of Essex?

*A.* Yes.

*Q.* And you were so during last year, and were present at the sittings of the House during its session this year?

*A.* Yes.

*Q.* There had been, I believe, a very considerable struggle at the elections preceding that session in the Province of Ontario?

*A.* Yes.

*Q.* A strong feeling on the part of some as to the power of the Dominion, and some others as to the Local Legislature—more or less friction which existed between the Legislatures?

*A.* Yes, between the Dominion and the Local Legislatures.

*Q.* And it was very keenly contested?

*A.* Yes.

*Q.* Had you known Mr. Wilkinson before that session?

*A.* No, I had never met him, though I had heard of him.

*Q.* You know whom I mean?

*A.* Yes, John A. Wilkinson, known as "Big Push."

*Q.* His Christian name is John A., and his given name is "Big Push." Did you know Mr. Kirkland before?

*A.* No.

*Q.* Did either of these gentlemen see you in connection with your vote or interest ?

*A.* Mr. Kirkland saw me. I met him some time during the early part of February. I think that was the first time, though he had been pointed out to me.

*Q.* Where was that ?

*A.* At the Walker House.

*Q.* Had you then any conversation with him ?

*A.* Nothing special at that time nor for some time after that, though I saw him coming and going frequently. It was some time in the month of March before I had any particular conversation with him.

*Q.* Had you any particular conversation with Mr. Wilkinson earlier than with Mr. Kirkland ?

*A.* No. I had seen Wilkinson in the Walker House coming and going to his meals, and he was pointed out to me, but I never became acquainted with him until subsequently to my interview with Kirkland.

*Q.* When was your first particular interview with Kirkland ?

*A.* The first particular interview I had with him was on Tuesday, the 11th March.

*Q.* Where was that ?

*A.* It was in a room generally known as the card room, in the Walker House.

*Q.* What was the subject of the conversation ?

*A.* He asked me to come in. There was some other gentleman, Mr. Lees I think, with whom he was talking, and he said he wanted to see me before I went to the House that morning. When Mr. Lees left him, he asked me to go in and sit down. We sat down and he began to talk to me about what he was doing in the city, what he was there for; he said he had been trying to get the Government, through some of the friends of the Government, Mr. Lyon and others, to make some change in the timber policy of the Government, and he went on to explain the change. He wanted to have the timber and the lands sold outright, without any payment of timber dues afterwards. He said he had been making efforts with Mr. Pardee to get him to make that change of policy, especially for the western sections of Algoma, but he said that he had failed so far in getting Pardee to do anything, at least he had very little hope; but he thought he would himself make an effort to get some change made if he could. What he proposed now was that the matter should be brought up in the House. He had some lands, it appeared, in the States, adjoining the lands in our North West districts, and he wanted full possession of those lands, and what he proposed now was, that some members supporting the Government should get up on the floor of the House and speak in favor of his policy.

*Q.* Perhaps you could tell us whether the Government had a defined policy on this question of timber ?

*A.* Yes, as I always understood the matter.

*Q.* Define shortly what was the difference between the policy of the Government and that proposed by Mr. Kirkland.

*A.* I had not gone into the policy of the Government particularly, but as I understood it the Government sold the right to cut the timber for certain sums at public auction, and that when the timber was cut dues had to be paid by the parties having the right.



Q. There was no right to the soil ?

A. No.

Q. The land was there to be dealt with by the Government ?

A. Yes.

Q. His idea was that there should be an out-and-out sale of the land, the timber and everything ?

A. Yes.

Q. So that the buyer would be an out-and-out possessor ?

A. Yes.

Q. So that was the difference between the two policies ?

A. Yes, he wanted to get control of everything on the land.

Q. It was to be treated as Mining land, which you can buy out and out ?

A. Yes, somewhat similar.

Q. Did he mention that he had been endeavoring to purchase the Government ?

A. He said that he had been making efforts with Mr. Pardee, and he tried to show me in the first interview that it would be more advantageous to the Province to have the land dealt with in this way, because he said there was nobody to look after it and the land would be burnt over. I remember him stating something of the kind that if he did not get this change the result would probably be that the land would be all burnt over and would be no good to the Government. If he got it he would send in men to look after it, because it would be an object to him.

Q. After presenting the question to you in one way, did he present it in any other ?

A. This was the first interview, and he said Lyon was going to have the matter brought up on the floor of the House, but that he would not be able to present his views as he would like them presented; and what he wanted to do was to supply me with material to make a speech in support of his policy.

Q. Was there anything said about the position of the question ?

A. He said he had presented his case to Mr. Meredith and some other members of the Opposition, that he had shown the matter to them, and how the land law; that Mr. Meredith and those of the Opposition to whom he had shown his plans were favourable to his policy.

Q. Was anything said about an amendment by the Opposition ?

A. I do not remember positively whether it was at this first interview or not; I think there was, but if not, there was at a subsequent one—that the Opposition were going to move an amendment on going into Supply, approving of his view on the timber policy; he had not then asked me to vote; he said if you don't want to vote against the Government, get up and speak in favour of my policy, and perhaps then, by some members on the Government side speaking in that way, I will obtain what I want.

Q. That was the first interview ?

A. Yes.

Q. And it was at a subsequent interview that he mentioned that the Opposition were going to propose an amendment ?

A. Yes.

Q. Did he ask you what you should do as to that amendment?

A. He finally did ask me to vote for the amendment, and against the Government; his request was conveyed in this way—that there were other parties who wanted to know what I would take and vote against the Government.

Q. Did he mention who the other parties were?

A. Well, he finally at a subsequent interview mentioned Mr. Wilkinson and Mr. Bunting with whom he had had some conversation.

Q. He wanted to know ultimately what you would take to vote against the Government?

A. He said they wanted to know; he did not ask me out and out on his own behalf.

Q. After the first interview with Kirkland, when did you have the next interview?

A. Well, I communicated the substance of the interview to Mr. Pardee, explaining Kirkland's views.

Q. Did you give him any warning?

A. No, at that time I was not aware of anything of the kind going on; I merely told him what Kirkland had said.

Q. The edge of the wedge was so thin then that you did not think it dangerous?

A. No, I did not perceive that Kirkland was working for anybody but himself.

Q. With whom was the next interview?

A. I next saw Wilkinson.

Q. How long after the 11th?

A. It was on the Thursday.

Q. How did you come to see Wilkinson?

A. After dinner, I was in my room in the Walker House, which is next to the one Wilkinson was occupying, mine being 10, and his 9, and Mr. McKim occupied a room near to mine; he came in and said Wilkinson had asked him to ask me to go and see him.

Q. Did you go in?

A. Yes, I stepped into the next room.

Q. That was on the 13th?

A. Yes.

Q. Did you see Wilkinson?

A. Yes, McKim introduced Wilkinson to me. I had not known him personally until then.

Q. What did Mr. Wilkinson talk about?

A. Along with myself he first talked about general matters, and he finally branched off into political matters, and asked me what I thought about a coalition—a change of Government in the Local House. He said it would be an advantage to the country to do away with so much party strife, especially in local matters, and that by having a Coalition Government which would not work antagonistic to the Dominion Government, the Province would more readily get her rights. He said it was proposed to form this Coalition Government and take in three members of the Opposition—three leading mem-

bers. He mentioned them, and gave me his opinion of their special qualifications, their faults and so on. The three were Mr. Morris, Mr. Meredith, and Mr. Creighton. He said Mr. Meredith would go into the Coalition as Premier and Attorney-General, Mr. Morris as Minister of Education, though he did not suit him altogether for the position, and he said Mr. Creighton would be the best man in the House for Treasurer. He said Mr. Meredith had some faults, but that he was the best they had, and he specially mentioned Mr. Creighton as being the best for Treasurer. He said an equal number of members would be given to the Liberal side of the House in the proposed Coalition.

*Q.* Then, was anything definitely presented to you on the question of Coalition?

*A.* You mean in regard to other members.

*Q.* No, as to how it was to be accomplished?

*A.* He said they wanted the support of a sufficient number of members supporting the Government to defeat the Government of course, and when they went out of office this Coalition commenced of those three Opposition members, and three on our side were to come in.

*Q.* His first object was to defeat the Government, and the second to form this Coalition?

*A.* Yes.

*Q.* Anything further as to the particulars of it?

*A.* Yes, he said they would have to have a Coalition because they could not go to the country at the present time with any hopes of success against the Liberal party. He said as long as Archbishop Lynch was alive and exercised his influence in favour of the Government there were no hopes, but they were in hopes of getting a sufficient number to defeat the Government, and to carry on the Coalition Government to the end of the term, and by that time the Archbishop would be dead and out of the way, and there would be some hopes of success.

*Q.* His first proposition was to defeat the Government; his second was that it was useless to go to the country to defeat the Government, and his 3rd was that they were to have a coalition, and with it to try to fulfil the prophecy "that Mowat must go?"

*A.* Yes.

*Q.* Did he continue the conversation?

*A.* Yes; after mentioning those three who were to be members of the Government I asked him what chances the Liberals were to have in the coalition with regard to members in the Government; he went on to state that there would be three Liberals taken in; he wanted to know if I would be willing to go in so as to do away with party strife; they would be prepared to do anything reasonable—prepared to satisfy me for my vote against the Government.

*Q.* He first wanted you to take in all the Liberals and then to take in three Liberals?

*A.* He wanted to get over as many as would turn the scale—four or five, or something like that.

*Q.* Any further details as to the plan? Did he mention any person as assisting him in this means of benefiting the country?

*A.* He said some other parties were working with him; it is just that possible I may get some things which took place at a subsequent interview together with this, but he said of course that he was prepared to offer me anything I might state, in the way of a shrievalty office, or advertising for my paper from the Departments; that he was in a position to get

that if I would only state it; he mentioned Mr. Bunting as being interested in this matter, and he said Bunting was anxious to have a change, and was working with him.

Q. Who is Mr. Bunting?

A. He is editor, or at least proprietor, of the *Mail*.

Q. A Toronto newspaper?

A. Yes.

Q. Did you know Mr. Bunting?

A. He was around the House a good deal during the session; I had him pointed out to me, but I never met him to know him.

Q. Those he referred to as being desirous of having this accomplished were Mr. Bunting and others?

A. Yes, of course, he referred to influence at Ottawa; these offices and the patronage were to be from Ottawa and to be given through the Dominion Government.

Q. Did he mention that Mr. Bunting had any influence with the Dominion Government?

A. He wanted me to see Mr. Bunting; this was in the evening, and he asked me to see him on the Friday, and he would appoint an interview; this was on the evening of the day I had the first interview.

Q. And offered you the Dominion offices—the registrarship and the Dominion advertising?

A. Yes.

Q. How did he offer you the advertising?

A. I publish a newspaper in Essex.

Q. And also money?

A. He said he would be willing to give me a guarantee of \$1,000 or \$1,200; he would pay me that much down as a guarantee of the office, and after the vote he would give me, say, another \$1,000—not fixing the sum definitely—that I would get any office that I might decide upon. This sum was to be the guarantee. On the Thursday just after I left Wilkinson and went to my own room, Kirkland followed me into my room. He seemed to have been watching for me, because he came right into my room, shut the door, and sat down. He said he had mentioned the previous interview, and he would pay me for my speech. He would pay me, and I could charge it as editorial in the paper, or otherwise, and he would pay me \$1,000 or \$1,200. He said he had no currency with him yet, but he read a letter from a Mr. Peters authorizing him to use \$100,000 to influence legislation, and said he expected this money though he had no currency. He said if I made this speech he would give me a draft, if I would risk that to secure me the money. He would give me a draft for \$1,000 or \$1,200.

Q. Would you recognize the letter?

A. I think so. I think the letter shewn me is the same letter. (Letter signed R. G. Peters, dated 25th December, put in.) Up to this time Kirkland had not mentioned other parties. He said he had nothing to do with anything else going on, and did not seem to be working in connection with them. I did not give him any satisfaction. No promises had been exacted by any of the parties up to that time, and I had made no offer of what I would take, or anything of the kind.



Q. Did he say when it was probable the vote would come on?

A. Well, he expected it soon after his first interview.

Q. He mentioned that to you?

A. Yes, he thought the matter would be up in the House, and he was anxious to have it settled when the vote came up. I told him I would like to know in advance when the vote was coming on, if there was such a vote. On the Friday I saw Mr. Wilkinson again—that would be the 14th. I had not gone to see Bunting. I had told some members of the Government that I did not care about bothering with these parties, that Wilkinson had arranged an interview for me, and they told me to see how far they would go in the matter. I told them I did not care about going to see Bunting, and that if Bunting wanted to see me he could come to the hotel. Wilkinson sent for me to come to his room on the Friday. I told him I had not gone to see Bunting, that I was busy on the Public Accounts Committee, and had not gone. He said it did not matter, as Bunting had not been at his office at ten o'clock, as he had been detained by some University people that morning, so that I could not have seen him anyway. All they wanted, he said, was some guarantee to Mr. Harcourt that there would be a sufficient number of members to vote against the Government, and he said he had prepared a round robin which he wanted me to sign. He handed it to me; there were no names upon it. It was drawn in the form of a round robin, and it was to the effect that, we the undersigned hereby bind ourselves, in order that an end may be put to bitter party strife, and that the Province may be benefitted, to vote against the Government on the first and every subsequent occasion.

Q. Is that the form (handing witness a paper)?

A. Well, that was practically the same thing, though the wording was a little different and it was written differently.

Q. They did not desire to know which patriot first signed it?

A. I presume that was the object.

Q. It was in substance the same as that?

A. Yes; he said they wanted that as a guarantee to Mr. Harcourt, if he came out as he said against the Government, that he would have a sufficient support to sustain him and enable him to go into this Coalition.

Q. What position was Mr. Harcourt to take in the Coalition?

A. He was to be leader of the Liberal contingent, and was to have a voice in choosing his colleagues; he also said that a prominent farmer was to go in, and that a life long Roman Catholic reformer from outside was to come in; that a seat was to be got for him by the resignation of a member of the House, and that he would not only secure his own seat, but would carry in another Roman Catholic supporting the Government to the support of the Coalition; he wanted me to sign this paper, and he would give me the guarantee; he told me that if there was any office I would mention he could get it for me.

Q. This was on the Friday?

A. Yes; he repeated the offer about the offices, and he mentioned the registrarship of Regina in the North-West, which I could have if I gave the guarantee; he said I should decide pretty quickly, because the office was going to be vacant pretty soon, because the present incumbent was not satisfactory; he said, however, that he could arrange matters if I wanted to retain my seat in the House, so that the duties of the office could be discharged by deputy, and that I might go on attending the sessions of the House.

Q. What did you say?

A. I told him I would not sign any round robin; I said I had no assurance that Mr.

Harcourt was going to do as he said, that I did not believe that he was going into the thing, and that the only ground on which I would listen to him was that Harcourt was in the thing; he said I could see Harcourt about the matter and satisfy myself: he said Harcourt was in communication daily with Bunting about the matter and that I could see him and satisfy myself; I told Mr. Fraser about this interview; I saw Harcourt that evening and he denied all knowledge of the thing.

Q. Was it on the Friday that he sought to arrange an interview with Bunting?

A. No, on the Thursday evening; the interview was to be on the Friday morning.

Q. And Wilkinson saw you on Friday?

A. Yes.

Q. When did you next see either Kirkland or Wilkinson?

A. On the Saturday afternoon Kirkland came to my room, and had some conversation with me; this was the time that he particularly mentioned that these other parties wanted to know what I wanted to vote against the Government; he said he was working for Kirkland alone, and that he had no interest in defeating the Government except as it affected his policy; if he could get it changed through the Government supporters it would be all right, but if not through them, then he wanted to through the Opposition; he said these parties wanted to know what I wanted; this was the first real intimation that I had that he was working with these parties.

Q. His first proposition was that he was trying to get what he wanted through the Government, and his next was that he would get it through the defeat of the Government?

A. Yes.

Q. He seemed to have failed to have got it from the Government?

A. Yes, he said Pardee had refused all approaches, and had almost ordered him out of the office.

Q. When was the first day you found that he was working in with the others?

A. I rather suspected it before this from seeing him with these other parties, but this was the first day I had any real intimation from himself.

Q. This was on Saturday?

A. He told me he had had an interview after midnight at a room there with Wilkinson and Bunting and others; that they had met him and talked the thing over.

Q. He told you this on the Saturday, that it had taken place on the Friday after midnight?

A. Yes.

Q. An interview with Bunting, Wilkinson and others?

A. Yes.

Q. What further?

A. He wanted to know what I wanted; I said you haven't got money enough in the city of Toronto to get me to vote against the Government; I got a little angry.

Q. You said this to Kirkland?

A. Yes, I said there was no use talking in that way; he had begun to suspect that there was something wrong, and he wanted to know what I meant; I told him that he

was not going to buy me to vote against the Government. Well, he says, I want to know something about this thing, because it might land me in the Penitentiary.

Q. Did you tell him anything about it ?

A. No, I gave him no satisfaction.

Q. Did he leave you then ?

A. Yes.

Q. He had been surprised by your statement, he wanted an explanation, and said the matter might land him in the penitentiary ?

A. Yes.

Q. Did you after that Saturday have anything to do with Kirkland in regard to the matter ?

A. No, I think that was the last interview except speaking to him in passing. He did not come near me after that.

Q. Did you have any further conversation with Wilkinson ?

A. On Sunday I was lying resting in my room and about noon Mr. McKim came in sat down, and said he had just seen Wilkinson, that he had paid him a thousand dollars, and he showed me ten one hundred dollar bills on the Bank of British North America. He handed the money over to me and I counted it. I said you had better give this to the Speaker. He said then that Wilkinson wanted to see me. I said if Wilkinson wanted to see me he could see me after dinner. Mr. McKim went out; of course I handed him back the money. I was lying there a few minutes afterwards when a rap came to the door. I said come in, and Wilkinson came in, sat down, and said he was prepared now to go on with that matter, that if I would sign the Round Robin he would pay me. Harcourt was all right, he said.

Q. Did he produce the Round Robin ?

A. No, he just referred to it. He said he was prepared to go on and assured me that Harcourt was all right. I said no, I didn't think I would have anything to do with it. Well, he said, I suppose we cannot do anything more. I said I would sign no Round Robin, so he went out.

Q. Did he mention on this occasion—on Sunday—what he was willing to give you ?

A. I think he referred to the office again.

Q. But as to the money ?

A. He was willing to pay me an amount down on signing the Round Robin, and the balance after the vote was taken.

Q. And as to the office and the advertisements ?

A. I do not remember as to whether they were mentioned, but they were mentioned at almost every interview ; but the conversation was not a very long one on the Sunday. The fact was that I had made up my mind to have nothing to do with it.

Q. Had you any further conversation with Mr. Wilkinson ?

A. Yes, on Monday afternoon. I went to the House, came back after dinner, and was going out of the hotel to the House again. Mr. Lyon was coming down stairs. He called to me that Wilkinson had just told him that he wanted particularly to see me in his room if I would go up for a minute. I went up with my overcoat over my arm and saw him. He said he was prepared to pay me that money and not ask me to sign a Round Robin or anything else.

Q. How much did he say?

A. He said I will give you \$600 now, I think. I understand Kirkland was to give you \$1,200, and we are going to carry out what Kirkland agreed to do. We do not think he has any money; in fact we have found that he has no money, but we are bound to carry him along in this matter as we took him in.

Q. Had Kirkland made you an offer?

A. Yes, he had said he would give me \$1,000, or \$1,200.

Q. So that the reference was to that amount offered by Kirkland?

A. Yes. I did not accept it then at once. I said, is this what you said you were going to do? He said, here is \$800, and I will give you \$700 after the vote is taken. I said I did not care about having anything to do with this. He pulled it out and gave it to me and I took it. He rubbed his hands together as I was going out, and I went immediately to the Council Chamber and saw Mr. Mowat and the Minister of Education who were talking, and some others. I wrote a note there, went out and gave it to the Speaker about twenty minutes after I got it from Mr. Wilkinson.

Q. Was that the money and the note? (Handing witness some bills and a paper.)

A. This was the note I wrote and this is like the money. I put it in one envelope and it into a large envelope.

Q. These are the same envelopes?

A. Yes.

Q. You went at once to the Speaker?

A. Yes.

Q. There were eight one hundred dollar bills?

A. Yes, the same kind of bills as I had counted over for McKim the other day.

Q. Did you go directly to the House?

A. I went to the Council Chamber and then to the Speaker's rooms directly.

Q. You did not lose a minute in getting it out of your hands?

A. No.

Q. Was there a vote coming on on that Monday?

A. Well, it was expected the vote was near. We had been expecting the vote for some days on going into Committee of Supply. There was a good deal of conversation on a vote being taken on the policy of the Government. I think there was some talk among the Opposition members and others that there was such a vote coming up.

Q. You did expect a vote on the Monday?

A. Yes, I think it was mentioned to me—some of the members supporting the Government, it was said, were going to vote against them on it.

Q. Did you meet a person of the name of Lynch or Stimson?

A. No, I did not meet him, I had him pointed out in a sitting room of the Walker House by Mr. McKim, as a man named Lynch. He showed me the man. That was on the Friday evening, or the Saturday afternoon, and then on Saturday night I saw him coming down from up stairs, and McKim said, there is that man again. I mentioned such a man to Mr. Fraser and he recognized my description.



*Q.* Would you recognize those as pictures of him (showing witness two photographs)?

*A.* These seem like him, but he was much rougher in appearance at that time. He had a full florid face, and he was dressed in a slouchy manner.

*Q.* Would you say that these were photographs of him?

*A.* Yes, that is his face.

*Q.* Dressed up to do his finer work?

*A.* Yes, some one told me that he had been out west, ranching.

*Q.* You were not introduced to him; you did not speak to him?

*A.* No.

*Q.* Did you see Mr. Bunting much at the House?

*A.* I had seen the gentleman; he was pointed out to me, and he was there almost every afternoon and evening previous to the 17th of March except a short time during the session. He used to drop in regularly and watch the proceedings especially during the earlier part of the session, before the first test vote was taken.

*Q.* Had Kirkland said anything to you about his other exploits of a similar character?

*A.* He said it was a usual thing on the other side. He said they had paid thirty or forty thousand dollars, I think, in the Wisconsin Legislature. He said it was not to bribe the members, but that they were simply paid as attorneys for their services.

*Q.* Did he say where this was?

*A.* I think it was the Wisconsin Legislature.

*Q.* Did he say he was successful?

*A.* Yes, I think so.

*Q.* Did Mr. Wilkinson tell you anything about his exploits.

*A.* He said he had been in Muskoka and Algoma.

*Q.* Which election in Muskoka?

*A.* The general election.

*Q.* Did he say what he had done?

*A.* No, he said he had seen lots of corruption on the part of the supporters of the Government. He said the Government had gone in, and all raised money, that the members of the Government and others had been mortgaging their property since to pay these debts, but were going to charge the amount to the public accounts, year by year, in order to pay the expenses of carrying on the election.

*Q.* In what connection was it that he was mentioning this?

*A.* This was to show that there was too much party, and that it would be better to make a change in the Government.

*Q.* And in order that less corruption might go on he gave you \$800?

*A.* I suppose so.

*Cross-examined by Mr. Caswell:—*

Q. Did he tell you which members of the Government had been mortgaging their property?

A. He said Mowat had mortgaged his property for \$20,000; that they had sent a solicitor, I think it was Mr. Meek, and he had gone up to the hall, or somewhere, and searched in some office and had found this mortgage on record.

Q. Do you know of your own knowledge of any election fund?

A. No, I do not.

Q. You never contributed?

A. No, and never had the benefit of any fund. We run our own elections in Essex.

Q. Perhaps that was the reason it was not set aside?

A. They entered a protest and finally withdrew it.

Q. You first met Kirkland in March?

A. I had seen him in February, but the first time that I had a conversation with him was on the 11th of March.

Q. Had you spoken to him before that?

A. I had bidden him good day, and had been introduced to him. He sat at our table.

Q. I thought he dined at the Rossin?

A. Yes, but he came and dined occasionally at the Walker.

Q. You had had no conversation, except formal conversation, up to the 11th of March?

A. No.

Q. He was then introduced to you?

A. We had been introduced before, and he knew me as one of the members.

Q. You say a Mr. Lees had been speaking to him?

A. That is my recollection.

Q. Is Mr. Lees a member?

A. Yes.

Q. Then he asked you to come in—he wanted to speak to you?

A. Yes.

Q. Did he explain how his policy differed from the Government policy?

A. Yes, he shewed it would be better to give the whole control of the timber to the purchaser. I think he said they had it that way in the United States, and that he was interested in protecting his own limits, adjoining those in Algoma, from fire, and that he could protect these.

Q. Did you understand the policy of the Government as to selling the timber up there?

A. I understood it was the same as in Muskoka and elsewhere.

Q. That is, they sold the timber licenses by auction, letting the person holding the license cut the timber on paying dues ?

A. Yes.

Q. What did he desire ?

A. He wanted to buy it right out-and-out as an absolute possession.

Q. Did he say anything about wanting increased prices or the same prices ?

A. Well, during the conversation there was a price of \$500 or \$600 a square mile mentioned.

Q. You understood that it was the Mining Act under which the Government sold land at \$1 per acre ?

A. I am not positive of that.

Q. Does that give the right to cut the timber ; do you know that ?

A. I do not know.

Q. Did he tell you if he owned mining lands ?

A. I think he did.

Q. Did he tell you the quality ?

A. I do not remember if he did.

Q. But he owned mining lands, he told you ?

A. Yes.

Q. Did he explain to you how much he was willing to give for the timber ?

A. He said it was more than he could get for it under the ordinary system, as it was only in patches there ; not so good as in Muskoka and further east ; he said it really required a different system of dealing with it ; the land was not so valuable.

Q. North and west of Lake Superior it was not as valuable, and therefore different regulations should prevail ?

A. Yes.

Q. Did you think up to this time that he was asking anything unreasonable ?

A. Nothing, with the exception of his offering to pay me money.

Q. He did not propose that at once ?

A. He said, at the end of the first interview, that he could remunerate me for my trouble.

Q. He first explained the policy without first mentioning the money, except that he was willing to give money ?

A. Yes, he mentioned the money, for making the speech at the latter end of the interview.

Q. I suppose that there was no harm in any person, American or Canadian, asking legislators to support a particular principle, and showing them that it was a reasonable thing ; so that there was no harm up to that time ?

A. Oh, no.

Q. He afterwards asked you to speak on behalf of it in the House?

A. Yes.

Q. Did he refer you to any person to get information from for that speech?

A. He said that Lyon understood the matter, and that he (Kirkland) would supply me with material.

Q. Did he supply you?

A. No; but I have learned from examinations since, that a letter I got containing some information from Mr. Lyon had been got from Kirkland.

Q. Personally did Kirkland give you any?

A. No.

Q. Some one else did?

A. Yes.

Q. That was from Mr. Lyon?

A. Yes.

Q. At that time had you any intention of using it?

A. I told him I would look into his policy.

Q. Have you that article, or letter, or whatever it was, which you received?

A. Probably I have amongst my papers at home; I have not looked at it since the day I got it.

Q. Do you think you could find it and send it to the Commission?

A. I think I can find it, and if I do I can forward it.

By the CHAIRMAN.—Q. What was that letter?

A. It was a document handed to me by Mr. Lyon containing some information I might use in a speech on the floor of the House on Kirkland's policy.

By Mr. CASWELL.—Q. Did Kirkland refer you to Mr. Lyon beyond his own letter?

A. He said Lyon understood the matter.

Q. And you had a conversation with Mr. Lyon on the subject?

A. Yes.

Q. What were his views as to the change?

A. He was rather favourable to it.

Q. In that particular locality?

A. Yes.

Q. They may not have suited Muskoka so well, but for that locality he was favourable?

A. Yes.

Q. Kirkland was anxious to get the matter discussed?

A. He wanted to bring pressure on the Government, and he thought if he could get their supporters to fall in with that view he would succeed.



Q. He asked you in the beginning to vote against the Government then ?

A. No, he said he was working for Kirkland, and that he would go any length short of murder to get his object.

Q. You did not imagine that he intended to kill any person ?

A. No.

Q. All he wished was to have the matter discussed in the House ?

A. That was it at first.

Q. That was on the 11th ; did he at any time in that interview ask you to vote against the Government ?

A. No.

Q. How did he come to you about the proposal of money ; who was the first person to suggest money ?

A. He did.

. What were the first words ?

A. I could not tell you the exact words. Referring to the way he had done those matters on the other side, he said he was willing to pay me for my services.

Q. In what way ?

A. In making a speech. He said you will have to give up all other matters and devote yourself to getting this up, and he said I will be willing to pay you for your trouble.

Q. Did he add anything about its being right ?

A. He said this was the way they did on the other side. They didn't buy anybody, but they hired lawyers, attorneys, etc., to advocate their claims, and he seemed to regard it as perfectly correct. He said that if I thought it was the right quality to try and get it.

Q. He wanted you to support it if it was right ?

A. Yes.

Q. The money was not to change your vote in any respect ?

A. No.

Q. Did he say that you could vote as you pleased ?

A. Yes, he said, as long as you make a speech vote as you please.

Q. It was simply to get your advocacy in the matter, to pay you for your time in looking up the matter, and getting information and preparing a speech on the subject ?

A. Yes.

. Did he ask you to support it if you conscientiously believed it to be right ?

A. I could not say that he used those words, but he tried to persuade me, and if I came to his views, to support them.

Q. He urged that his view was more advantageous to the province ?

A. Yes.

Q. He said that the land now was not protected, and that fires were allowed to rage over it?

Q. Yes; he said that people in hunting for minerals frequently set fire to the woods; that this communicated with the low ground, and afterwards with the standing timber.

Q. In other words, there would be a diverse interest between the owners of the land and the owners of the timber?

A. Yes.

Q. He asked for a change, and he said that if any person owned both the timber and the land he would protect one for the sake of the other?

A. Yes.

Q. You say that he presented his case before March, was it? Did he do so in any other light then to you?

A. No; he said he had taken his maps and explained it and gone over it with Mr. Meredith and some other members of the Opposition at the Queen's Hotel.

Q. Would his language lead you to believe that either he had tried to buy Mr. Meredith or that Mr. Meredith had tried to buy him?

A. No; I think he had tried to influence Mr. Meredith with his view, and if Mr. Meredith saw a point against the Government he would use it; he said Mr. Meredith was with him on that point.

Q. Kirkland did not express that to you?

A. No.

Q. He said that the Opposition were going to move an amendment?

A. Yes.

Q. Did he put that as an amendment going into Supply?

A. I do not think he understood our system thoroughly, and just gave it to me as he had been told it.

Q. That some motion was to be made on the subject?

A. Yes; he got to understand it finally, though he did not understand it at first.

Q. He did not seem to understand that?

A. No; he said that on the other side members could vote as they pleased on any question, and he did not see how it was not the same here.

Q. He could not understand about there being two sides?

A. Yes; he understood it afterwards.

Q. He thought every member should have supported it on its merits?

A. He thought every measure should be supported by members of that particular view.

Q. You reported this first interview to Mr. Pardee; what instructions did you get?

A. None; I told him what he had said; he said there was nothing in his advocacy; that it was not possible to make the change.

Q. Did Mr. Pardee say anything to you about Kirkland, what you were to do?

A. No.

*Q.* He did not urge you to see Kirkland?

*A.* Not particularly.

*Q.* Did he at all?

*A.* I don't think he did. Whether at that interview or at a subsequent one, I could not say; but he told me to let these parties go on and see how far they would go. This was after I saw Wilkinson.

*Q.* And immediately after the 11th you saw Pardee and told him what had taken place?

*A.* I told him the policy of Kirkland.

*Q.* Did you then get instructions from him to go back to Kirkland?

*A.* No, I think not.

*Q.* The first time that Pardee told you to try them was after you saw Wilkinson as well?

*A.* It was after I saw what was going on. When Kirkland spoke I did not know that there was anything more in the matter than his own view.

*Q.* On the 13th you went to McKim after dinner?

*A.* On that day he asked me to see Wilkinson.

*Q.* After you went out of Wilkinson's room, Kirkland followed you into your room?

*A.* Yes.

*Q.* Did he seem to have anything to do with Wilkinson?

*A.* It struck me he had. I could not see how he followed me—how he knew I was there.

*Q.* Are your rooms on the same corridor?

*A.* Yes, but I did not know how he knew I was there.

*Q.* Was there anything singular for another person to be coming up stairs just about that time?

*A.* Well, I thought it a rather strange coincidence.

*A.* You did not know of anything being wrong?

*A.* No.

*Q.* On that occasion he read the Peters letter?

*A.* Yes.

*Q.* Did that letter lead you to understand that he was authorized to buy up members of Parliament?

*A.* I understood from it that he was going to use cash in support of his policy. He said he did not offer me cash, but he would give me a draft for security.

*Q.* Did he produce any draft?

*A.* No; I did not signify my intention of accepting. He said he could give me a draft, that he had not the cash, and he would give me a draft for a thousand or twelve hundred dollars.

*Q.* He did not produce any draft ?

*A.* No.

*Q.* Did you gather from Peters' letter that this money was to be the means of buying up members ?

*A.* Kirkland went on to explain Peters' position, that he was worth several hundreds of thousands of dollars, that he was very wealthy, that he was backing him up, and, taking that in connection with what he said about buying up American Legislators, I had that idea.

*Q.* If these men were in partnership, I suppose a letter of that kind would not be out of the way ?

*A.* Not perhaps in their view of the matter.

*Q.* It would not be out of the way in such a case to give him power of attorney or a general authority ?

*A.* No.

*Q.* You say that in the interview he expected a vote ; was there any reason to expect a vote ? Was it not a fact that the House was nearly over ?

*A.* Well, there had been arrangements, as there always are, that votes of want of confidence should come as amendments to Supply.

*Q.* Did not you know about the 13th that the House would shortly adjourn ?

*A.* Well, we expected that it would close sometime soon.

*Q.* In fact, did not the members expect to get through about the 18th or 19th, only for these proceedings ?

*A.* No ; at the soonest not until about the beginning of that week.

*Q.* Had not the House commenced to have its morning sessions ?

*A.* Yes, I think they had a few morning sessions before this matter came up.

*Q.* Therefore, the House was showing signs of getting near the end of their business, and if a vote was going to take place, it might be expected to take place soon ?

*A.* He would have the matter explained I presume, because he did not know anything about our mode of doing business. I cannot say, however, what his reasons were. I suppose he must have got the information.

*Q.* It was not unreasonable to expect a vote to take place then ?

*A.* No, or at any time. We have had votes of want of confidence the first week of the session.

*Q.* You say on the 15th you had an interview again with Kirkland ?

*A.* That is the Saturday, yes.

*Q.* He referred to the interview he had with Bunting, Wilkinson and others ?

*A.* Yes.

*Q.* You took that to be on the night of the Friday ?

*A.* Yes ; he said it was after midnight.



*Q.* What proposal did he make on that occasion about money?

*A.* He said they wanted to know what I wanted, referring to Wilkinson and others.

*Q.* Did he himself say he wanted to know?

*A.* He had already made me a proposition before—the one with reference to \$1,000 or \$1,200.

*Q.* But that was not to your vote?

*A.* This time they wanted to know, he said, what I wanted to vote against the Government.

*Q.* Was that the first occasion he spoke to you about wanting you to vote against the Government?

*A.* The first time definitely, I think, though he may have mentioned that whether I could or could not vote against the Government, I was to speak. I think this was the first definite proposition. I cannot say specially as to the number of interviews, some conversations being repeated again and again.

*Q.* What did you say in answer to that?

*A.* I told him he had not money enough in the city of Toronto to buy my vote against the Government.

*Q.* What did he say to that?

*A.* He seemed somewhat surprised. He wanted to know what I meant, and if I was not in earnest. I told him that he hadn't enough money in Toronto, and he began to get afraid, and he said this was a serious matter for him. He had information from his friends what would be the result to himself and others if it came out. Somebody had evidently warned him, from what he said.

*Q.* Did he use the expression about the penitentiary?

*A.* Yes.

*Q.* That he might land in the penitentiary?

*A.* Yes.

*Q.* You say that about that day—I think on the 15th—you met Wilkinson?

*A.* No, not on the Saturday.

*Q.* The next day, Sunday?

*A.* Yes, he came into my room.

*Q.* Was it then he mentioned about the \$1,200.

*A.* That was on Monday. He said that they were going to carry out Kirkland's agreement, that they would not probably have used any money only for Kirkland's agreement, but they had to carry it out. They said they had found out he had no money.

*Q.* Did it occur to you that Kirkland was with them?

*A.* I supposed so from Kirkland's conversation on Saturday, that he had joined forces with them in his efforts to carry the policy.

*Q.* Did not Wilkinson say they would have nothing to do with Kirkland?

*A.* He said they were going to carry him through this matter, and that then they would not have anything to do with him.

Q. It was Wilkinson who said they expected a vote on Monday?

A. Yes.

Q. What Kirkland said about Wisconsin—was it about the Legislature or about some tax sale?

A. No, he said he had used some \$30,000 or \$40,000 in getting something through the Legislature. He told me about always paying them for services.

Q. Did he give you names?

A. No, though I would not have remembered them if he had.

Q. You inferred that he actually gave money to the members of the Legislature?

A. Yes, I understood that, because from my reading the American papers, I understood it was a customary thing.

Q. Well, is it a customary thing to think that the legislators of other countries are worse than our own?

A. Well, I saw the evidence as reported as to matters in New York and elsewhere.

Q. Then you gather that it was members who were bought up in the United States, and that the money was not spent in some speculation?

A. No, it was to carry a measure through the Legislature. He spoke to me about the proprietor of the Rossin House—about his having recognized him and having been recognized by him as soon as he came, and he a party who had been interested in getting a dam or some other public work through the Legislature in the country he was living in at the time. He spoke of having used this money in the Legislature, and I think he said he was connected with it at the time.

Q. I suppose it would not be improper to get counsel to go before Committees of Parliament or a Legislature to advocate matters—that they are paid to do so?

A. Certainly, I know that.

Q. I suppose if the matter is very important, large sums might be expended?

A. Yes.

Q. In engaging Counsel?

A. Yes.

Q. And it would not be out of place?

A. Certainly not.

Q. And large sums might be expended in that way in the case he referred to?

A. He referred to them as members.

Q. You had a memorandum book in the Police Court?

A. Yes.

Q. Where is it?

A. I have it in my pocket.

By Mr. MEEK.—When did you first have a conversation with Mr. McKim about this matter?

A. Some time in the week that this was going on.

Q. The week previous to the disclosures in the House?

A. Yes.

Q. Did he come to see you about it?

A. About what?

Q. About this matter?

A. Which particularly?

Q. About this turning out of the Government—did he come to see you about it?

A. As we met each other. We were in the same hotel, and we were meeting every day and having conversations about one matter and another, and after having this interview with Wilkinson and communicating with the Government, I heard that McKim had been approached.

Q. They told you?

A. I think it was either they or some member of the House.

Q. Which one of the Government was it?

A. It was either Mr. Fraser or Mr. Pardee probably.

Q. Then did McKim come and speak to you about it?

A. Well, we talked about the matter together. I think after the second interview with Wilkinson.

Q. Did you know it before McKim spoke to you?

A. I had heard of it.

Q. In the first conversation you had with McKim, did he speak to you or you to him about the matter?

A. The matter came up incidentally, I presume.

Q. Was it in your room?

A. No, I think it was in the sitting-room of the Walker House, or else walking down to the House.

Q. What did McKim tell you he was doing?

A. He told me he had offers.

Q. Did he tell you to go on and try to get offers too?

A. No, I don't think he urged me to go on particularly, because the members of the Government told me to let the parties go on and see how far they would go.

Q. That is your reason for it? The members of the Government had urged you?

A. They didn't urge me to go particularly, because I had not taken any action of my own motion at all. They told me to let these parties go on.

Q. Who said that?

A. Nearly all the members of the Government. I had spoken to them all at one time or another.

Q. During the same day?

A. No, at different times.

Q. When did you speak to members of the Government?

A. I spoke to Mr. Pardee that morning; I went from the Walker House to the Buildings.

Q. The first time you spoke to them was after Kirkland spoke to you?

A. Yes.

Q. That was the first offer made to you of any kind?

A. Yes.

Q. That was on the Tuesday?

A. Yes.

Q. On that occasion you spoke to Mr. Pardee?

A. Yes.

Q. Did you speak to any of the other members of the Government the same day?

A. I think not.

Q. It was then that Mr. Pardee told you to go on?

A. No, not on that occasion.

Q. When was the next time you spoke to any member of the Government?

A. I spoke to them probably every day after that.

Q. Why do you say probably?

A. Well, I think I can say every day.

Q. At the Police Court you said you had a memorandum book in which you had all the particulars?

A. That is, the heads of the interviews.

Q. Do you remember, apart from that note book, the dates or the occasions of these interviews.

A. With these individuals?

Q. With the members of the Government?

A. No, I kept no notes of the interviews with the Government.

Q. You did not take note of what the members of the Government and others told you to do—McKim and others?

A. McKim did not tell me to do anything.

Q. You say you did not see any member of the Government on that Tuesday except Mr. Pardee; when did you next see a member of the Government?

A. Next day.

Q. Which one did you see first?

A. I could not say; probably Mr. Fraser or Mr. Hardy.



Q. We do not want probabilities?

A. When I saw all the members of the Government on the one day, I could not say which I saw first.

Q. Can you say which one, or two, or three of them you saw?

A. It would be Mr. Pardee, Mr. Fraser or Mr. Hardy—one of these three.

Q. And probably the whole three?

A. It may have been so.

Q. What did you say to them?

A. There was nothing special beyond this timber policy. I mentioned what had taken place between me and Kirkland,

Q. Had you another interview after Kirkland saw you again?

A. I could not say, I saw more than one of them.

Q. What did any one of them say to you?

A. Nothing in particular.

Q. Anything in general?

A. No, merely expressions of opinion as to what he was at.

Q. Referring to Kirkland?

A. Yes.

Q. Did they tell you not to have anything to do with him?

A. They gave me no instructions.

Q. Did they tell you to keep clear of them?

A. No.

Q. Did they tell you to tell him that that was not the way our Legislators were to be treated; did they give you no good advice in the matter at all?

A. Not then.

Q. Did they tell you to spurn the offer?

The CHAIRMAN.—I understand that there had been no offer made at the first interview.

Mr. MEEK.—I understood him to say that there was an offer of some kind.

WITNESS.—No; he wanted me to advocate his policy and get up a speech.

Q. Did not you say at the police court or here that he offered to give you a certain sum to make a speech?

A. The sum mentioned was subsequent; he offered to remunerate me for the time spent, and so on.

Q. He said he would put some advertisements in the paper, and would give you \$1,200?

A. That was on a subsequent occasion.

Q. When did you see Kirkland again ?

A. I saw him again right after his interview with Wilkinson.

Q. That was not until Friday ?

A. On Thursday.

Q. On the Thursday you had the second interview ; you had previously had one with Wilkinson ?

A. Yes.

Q. Was that the first with Wilkinson ?

A. Yes.

Q. After seeing Wilkinson did you go and see the members of the Government ?

A. I saw them that afternoon or evening.

Q. After seeing Kirkland ?

A. Yes.

Q. When you went to the members of the Government, what did you say to them ?

A. I told them the proposition which was made by Wilkinson and Kirkland.

Q. Which member of the Government did you see ?

A. I saw Mr. Fraser and Mr. Pardee.

Q. And they said to you to go on and see how far they would go ; was that all ?

A. Yes ; there may have been some conversation ; I do not recollect.

Q. Did you tell them the terms of this offer ?

A. I told them the substance of the interview.

Q. So they understood exactly what was done ?

A. Yes.

Q. They both said, let them go on ?

A. I do not know that both said so together ; I think probably that the interviews I had particularly pertaining to the matter were with each one separately.

Q. Where ?

A. I saw Mr. Pardee in the corridor, and I saw them in the outside Council Chamber.

Q. When did you meet Mr. Pardee the second time ?

A. I saw them at different times and places.

Q. But where did you see Mr. Pardee the second time after seeing Wilkinson and Kirkland ?

A. I think it was at the outside Council Chamber ; either there or in the corridor.

Q. Then you told him all that happened, and all he said was, let them go on ?

A. Yes, before I told them I had been asked to go and see Bunting.

Q. Did they tell you to go and see Bunting ?

A. They said I had probably better see what he would propose ; I told them I did not care about going up there.

Q. Are you now talking of Mr. Pardee?

A. It was either Mr. Pardee or Mr. Fraser.

Q. I am talking about Mr. Pardee?

A. I had probably two interviews with both. There was generally only one present

Q. I am talking about this occasion? Were there two present or only one? You give definite information about other people, and all that has occurred about the same time, and one would think you would remember as definitely about the members of the Government. You have made serious charges against other people, and why cannot you recollect whether Mr. Fraser or Mr. Pardee was present on that occasion?

A. Frequently a word or two was exchanged in passing. I had no regular, sustained interview that day—no more than a minute or two at a time.

Q. You had several interviews?

A. Yes.

Q. Did you meet them together?

A. I don't think I spoke to them together.

Q. You met them separately?

A. Yes, separately.

Q. You do not recollect which you met first?

A. No.

Q. You do not recollect where you met either of them?

A. I met them in the outside Council Chamber.

Q. Are you speaking from recollection?

A. Yes.

Q. You met either one or the other in the Council Chamber?

A. Yes; I remember meeting Mr. Hardy in his room, and I met Mr. Fraser in his room.

Q. Let us speak of this particular occasion. You told whichever one you met what had occurred, and that gentleman, Mr. Pardee or Mr. Fraser, told you to go on?

A. Yes; I know Mr. Pardee told me, let them go on.

Q. You understood you were to go and see the parties again?

A. No, because I never went to see them unless they requested me.

Q. You told them you had been asked to see Bunting, and they told you that you had better see him?

A. Yes.

Q. He did not show any indignation about the matter?

A. From what they told me they had had knowledge of the matter from the beginning of the session.

Q. Oh, I did not know that ; you did not tell us that before ?

A. He did not say so in so many words, but I judged so from his conversation.

Q. Did he tell you that he had seen McKim frequently ?

A. I think he told me McKim had been approached.

Q. Did he tell you the other members who were in this little conspiracy between him and McKim ?

A. I did not know of any conspiracy between him and McKim.

Q. I did not ask your opinion. Did he tell you of anyone else being in this arrangement between him and Mr. McKim ?

The CHAIRMAN.—That was not the question you originally put.

Mr. BLAKE objected to Mr. Meek's question on the ground that it made an improper use of the word "conspiracy."

Mr. MEEK replied that he did not mean that there was any criminal conspiracy, and contended that he had a perfect right to use the word.

The Commissioners ruled that the word "conspiracy" should not be used as it had been by Mr. Meek, unless he established that there had been a conspiracy.

Q. Will you tell me what occurred—what Mr. Pardee told you as to his interview or his having made arrangements with McKim as to this matter ?

A. He did not tell me he had made any arrangements ; he told me McKim had been approached.

Q. Did he tell you what McKim had been doing ?

A. No, he did not tell me McKim had been doing anything. He told me others had been after McKim.

Q. Please tell me his language ?

A. He said there had been something of this kind going on during the session, and that McKim had been approached by the parties.

Q. Did he say he learned it from McKim ?

A. He did not tell me from whom he had learned it. I presume it was McKim. He said approaches had been made from the beginning of the session.

Q. He mentioned no name but McKim's ?

A. Not then.

Q. Was that all that occurred that day between you and Mr. Pardee ?

A. Yes.

Q. You say you met Mr. Fraser on the same day ?

A. Yes ; it was a mere mention to him on that day.

Q. Where did you meet Mr. Fraser ?

A. I think I spoke to him at his desk in the House.



Q. What did you say to him ?

A. It was just a mere mention of the approach which had been made.

Q. To you ?

A. Yes.

Q. By whom ?

A. By these parties, Wilkinson and Kirkland.

Q. You mentioned their names ?

A. Yes.

Q. Did you tell about the offer of money ?

A. I mentioned briefly what had taken place.

Q. Did you tell him about the money offer ?

A. I told him that offices had been offered, and a guarantee.

Q. You always looked on the money offer as a guarantee that you would get the office, and that you would repay the money ?

A. This money was offered as a guarantee that I would get the office, though nothing was said about repaying it.

Q. Did Mr. Fraser say anything in answer to that ?

A. No, just an expression of his opinion about it, probably.

Q. Did he give you any information ?

A. Not then.

Q. He did not say to you to go ahead ?

A. He did subsequently, but not then.

Q. Were these the only members of the Government you met on that day ?

A. These were the only interviews I recollect.

Q. You have nothing in your note book about this ?

A. No.

Q. Whom did you see next after the Thursday ?

A. I saw Kirkland that same afternoon.

Q. After you saw Mr. Fraser and Mr. Pardee ?

A. No, before ; after I had seen Wilkinson and Kirkland I saw Mr. Pardee and Mr. Fraser.

Q. Whom did you see next ?

A. Wilkinson, when he proposed a meeting with Bunting.

Q. Whom did you see after seeing Mr. Pardee and Mr. Fraser on that Thursday ?

A. Do you mean the parties charged, or the members of the Government, or what ?

Q. I mean in connection with this matter. Why are you fencing in this way?

A. I am not fencing, only I want to know exactly what you want.

Q. Whom did you see next?

A. Do you mean a member of the Government, or one of the party?

Q. Any person connected with this matter?

A. Next day I saw——

Q. That day I mean; did you see any person else?

A. I do not recollect mentioning it particularly, but there were occasional conversations among the members; I saw no one, and I went to no one particularly.

Q. Did you go to any person about it at all?

A. No, I did not go with that object.

Q. On the Thursday you spoke to no one else except Mr. Pardee and Mr. Fraser?

A. Not to my recollection; there were a lot of conversations about this time, and I could not fix them on my recollection exactly.

Q. On the next day, Friday, did you see any person about the matter?

A. On the Friday Wilkinson sent for me.

A. You were both stopping at the Walker House, and he sent across to your room?

A. I think I was standing in the waiting-room or sitting-room in the hotel.

Q. Whom did he send for you?

A. Mr. McKim.

Q. McKim was running all the errands?

A. He did on two occasions; Mr. Lyon on another occasion, and Mr. Wilkinson came to me himself, and so did Kirkland.

Q. Mr. McKim did on two occasions; was this the first?

A. This was the second occasion.

Q. When was the first?

A. On the Thursday.

Q. What did McKim say on the Thursday?

A. He said that Wilkinson wanted to see me.

Q. Did he tell you to go?

A. I was in my own room, and he said I had better go, as Wilkinson wanted to see me.

Q. You were reluctant; you did not want to have anything to do with it?

A. No.

Q. I understand that; I believe it to be entirely correct. McKim urged you to go?

A. He said I had better go, and I got up and went into the next room.

*Q.* Was that all McKim said to you on that day?

*A.* Yes.

*Q.* Did McKim say anything to you on the Friday?

*A.* He told me in the meantime that he had an offer.

*Q.* Did he tell you he had an offer?

*A.* Yes, and he told me some of the members had.

*Q.* Did he say he was trying to catch them?

*A.* He did not then; he may have done so at a subsequent time; I think he did.

*Q.* Are you sure he did.

*A.* There was something to that effect.

*Q.* Did he tell you his plans?

*A.* No.

*Q.* How he was rising from one sum to another, and how he was trying to lead them on?

*A.* He said they were rising from one sum to another, trying to lead him on. He said he wanted to see how far they would go.

*Q.* He led you to understand that he was leading them on?

*A.* He led me to understand that they were increasing the sum, and that he was listening to them.

*Q.* Did you understand that he was doing anything more?

*A.* I did not believe that he was going to accept anything from them, from anything he said to me.

*Q.* You did not intend to accept anything. It was only on the urging of somebody else that you listened?

*A.* It was only Wilkinson's urging.

*Q.* Did not McKim urge you?

*A.* He said he had taken it, and that he supposed I would be offered it.

*Q.* Did he tell you to take it?

*A.* I think on the Sunday when he came in, he said that I would be offered some money, likely by Wilkinson. I said that I would put it in the Speaker's hands if I got it.

*Q.* Didn't he ask you to take it?

*A.* That may have been the impression that he tried to convey, that I should take it, and take it to the Speaker.

*Q.* Was not that the kind of influence he tried to bring to bear upon you by his conversation?

*A.* That was not the impression I took from it.

*Q.* McKim saw you on the Friday; when was it he came to show you the money he had got?

*A.* On Sunday.

Q. Had you seen McKim in the interval?

A. We were chatting together when he showed me Lynch.

Q. Where were you?

A. We were sitting on a row of seats in front of the Walker House back of the office. We were chatting together.

Q. What about?

A. He was telling me about this man Lynch.

Q. And the offers made?

A. Yes.

Q. Did he tell you what he was going to do?

A. He said he was going to get the money.

Q. Did he say he was bound to get it?

A. No, I don't recollect that. He said if he got the money he was going to take it to the Speaker.

Q. Did he say he was going to get it?

A. No, he never spoke certainly about it until he had it. I understood they first offered it and then withdrew the offer.

Q. You say you saw McKim on this occasion on the Saturday in the Walker House; did he then ask you to take the money if they offered it?

A. No.

Q. Did he say anything about an offer being likely to be made to you?

A. He said I would probably be offered some money.

Q. Did he say he would report your name to them as a person willing to consent to this scheme?

A. At that time I had been introduced to Wilkinson.

Q. Did he say he would tell Wilkinson you would be willing?

A. He said he had told them probably they could trust me.

Q. Did he say that he told them that again?

A. No, he did not repeat it then.

Q. Did you tell him he should not have told them that?

A. I told him I did not intend to take any money or have anything to do with them.

Q. Now, was that the only occasion you saw him before Sunday?

A. Oh, we had chats going to and from the House several times a day!

Q. In addition to these interviews?

A. None of the interviews were special. The matter came up in casual conversation. Members stopping at the same house generally talk about matters of that kind.

Q. Had you any other interviews with members of the Government, Friday and Saturday, except those you have mentioned?

A. I saw Mr. Hardy.



Q. Did you see Mr. Fraser?

A. Yes.

Q. Did you tell him about having an offer of money?

A. Yes.

Q. That there was an offer of cash down before the vote was taken?

A. Yes.

Q. What did they say?

A. They said let them go on and see how far they would go.

Q. Did you understand that you were to take the money?

A. I understood that I was to take the money if they offered it, and give it to the Speaker; I told them before that if any money was paid I would put it in the Speaker's hands.

Q. Did they tell you that was right?

A. They said that would be the proper course.

Q. Did they say to take the money if it was offered?

A. They said to let them go on; I presume that that included the offer of money; I think that that was the meaning of their advice.

Q. McKim came to you on Sunday and showed you \$1,000?

A. Yes.

Q. Which had been paid?

A. Yes.

Q. Did he show you the bills?

A. Yes, he handed them to me.

Q. And you counted them?

A. Yes, and handed them back.

Q. He went away?

A. Yes.

Q. Did he tell you on Sunday that you would receive a similar offer?

A. He said probably I would get some money, too.

Q. Did he say the offer would be made that same day?

A. He did not say; I had told him all along I would not sign any papers.

Q. Did he let you understand that a similar offer would be made the same day?

A. He said that Wilkinson was ready to pay over money.

Q. A similar amount?

A. No, he did not say that.

Q. Did he say that Wilkinson would see you after dinner?

A. He came into my room while I was lying on the bed shortly afterwards.

Q. Had McKim time to get back to Wilkinson's room before Wilkinson came in?

A. It was probably five or ten minutes.

Q. Your rooms were not far apart?

A. No, they were quite close.

Q. Did you understand that McKim was to go back to Wilkinson?

A. He said Wilkinson wanted to see me, and I told him to tell Wilkinson that he could see me after dinner.

Q. Then after dinner Wilkinson came and offered you the money?

A. No: not after dinner, it was after that.

Q. Did you go and see members of the Government after that again?

A. Yes, I saw them that evening.

Q. Why did you not take the money as the Government were willing you should?

A. He wanted me to sign documents, and I would not do that, or make any promises; I never made any promises throughout the whole matter.

Q. Had he the document?

A. He did not show it to me; he said they were ready to sign.

Q. He said others had signed?

A. Yes, and he wanted me to sign too.

Q. He went away, and you did not see him any more that Sunday?

A. Yes.

Q. Did you see any members of the Government before you saw him again?

A. I saw them all.

Q. Did you tell them all that occurred?

A. Yes, everything that took place; I saw them all together, and saw them separately between that and Monday—all the members of the Government; I saw the Attorney-General.

Q. What did Mr. Mowat tell you to do?

A. He said to let them go on with the matter, and if they paid me money, to take it and put it in the hands of the Speaker.

Q. What did Mr. Pardee advise?

A. They all advised me the same.

Q. Did any of them tell you how to act?

A. No, there were no instructions.

Q. Did they tell you to ask for the money?

A. No, and I never asked for a sum, never mentioned a sum, and never agreed to accept anything.

Q. Did you tell them that McKim had been a go-between between you?

A. No, because McKim was acquainted with Wilkinson

Q. Did you tell the members of the Government that McKim was going between you and carrying on the negotiations between you?

A. If he did not negotiate, I could not tell the members of the Government that he did.

Q. You did not see any person until the Monday?

A. I saw all the members of the Government, but no one else.

Q. Did you see Mr. McKim on Monday?

A. Just in the ordinary course.

Q. What was the ordinary course?

A. I used to meet him in passing; he said he had gone to the Speaker, but he was away, but he would see him again on Monday and would pay over the money.

Q. Did he say anything about Wilkinson going to give you money, or anything of that kind?

A. I have no recollection of anything of the kind.

Q. Would you say he didn't?

A. No, I wouldn't.

Q. Did he seem to be jubilant about getting the money?

A. No.

Q. It was just a common thing?

A. He didn't seem jubilant; he seemed naturally a little excited.

Q. As though he had actually accomplished his purpose?

A. Well, you cannot tell much from Mr. McKim's expression what his feelings are.

Q. Did you see him several times before seeing Wilkinson on the Monday?

A. No; only the once to speak about this matter.

Q. You said that probably he told you to go on and get the money?

A. He may have done so.

Q. Did you see any member of the Government before you saw Wilkinson on the Monday?

A. I saw them all.

Q. Both Sunday and Monday?

A. Yes.

Q. You went over the whole pack of them again?

A. Yes.

Q. Did they seem to be much horrified?

A. They seemed much displeased that an attempt of that kind should be made, and thought that every means should be taken to bring them to punishment, and that the evidence would be complete by the payment of this money.

Q. You understood from that that you were to go on and get money?

A. I understood I would be doing what was right, if they offered the money to put it in the hands of the Speaker.

Q. I am not asking about the abstract question of right or wrong?

A. I understood that they thought it was right, and that they desired that the evidence should be complete.

Q. And you had these numerous interviews with the various members of the Government separately and together, both on Sunday and Monday?

A. Not with all of them on Sunday; only two of them when I went up to the smoking room. I saw them all between the time of seeing Wilkinson on Sunday and seeing him again on Monday.

Q. Then you only saw two of them on Sunday?

A. Yes, Mr. Hardy and Mr. Fraser.

Q. Then you saw them on Monday?

A. Yes, and told them I did not care about taking the money.

Q. Was that the first time you had spoken to Mr. Mowat about that time?

A. The first time that I had any lengthy conversation I had mentioned it to him in the presence of one of the others before; on that Monday I had a special conversation with him individually, about the whole matter, and to get his views on the whole question; then I went to see Mr. G. W. Ross, and the Treasurer.

Q. You thought you would take the advice of your leader before taking so peculiar a step as to receive a bribe?

A. I didn't receive a bribe, and I had not made up my mind to see him; I was——

Q. We do not care about that?

A. But you say that I took a bribe.

Q. I say before you took what was intended as a bribe, you thought you would take the advice of your leader?

A. Yes.

Q. And very dutifully you went to him as a father for advice?

A. I went to get his opinion on the matter.

Q. And he thought you should accept it, as you understood it?

A. Yes.

Q. And the others were all of that opinion too?

A. Yes.

Q. And then in consequence of that you came back to the Walker House?

A. I got my dinner and was starting down to the House, and Mr. Lyon was coming down the steps from his room just as I was about going out; I had made up my mind that I would not go near any of the parties at all.

Q. All that time you knew that Mr. Lyon had signed the round robin?

A. I had heard that he had.



Q. You knew that he had refused to accept money ?

A. No.

Q. Did not he tell you he would not ?

A. No.

Q. Had not McKim told you ?

A. No, I think not. I heard he was to have some interest in some timber limit, but there was nothing said to me that I remember that he would not take any money.

Q. Had Lyon told you what to do ?

A. No, but he called to me as I was passing out, and I stopped, and he said, "Wilkinson told me as I was passing his room that if I saw you to ask you to go up for a minute." That was all he said. I then went up to Wilkinson's room.

Q. Then the offer was made of the \$600 or the \$800, and you took it ?

A. He handed it over and I put it in my pocket.

Q. You did not like the whole business ?

A. No, certainly not.

Q. And if it had not been for the advice, you would not have played that part ?

A. I certainly would not have taken the money only for the advice.

Q. Of course Wilkinson really thought you were going to vote ?

A. I presume so.

Q. I suppose only for the advice of these men, you would have spurned the money ?

A. I would not have accepted it. The advice in the matter was that it would be for the good of the Province that these parties should be brought to justice, and the only reason I consented to have any of the interviews was that they might be punished.

Q. I am asking you this : If you had not received the advice and counsel you received from the members of the Government, you would have continued to act as you had in the first place, and spurned the offer ?

A. I would not have taken the money if the members of the Government had not told me that was the proper course to pursue.

Q. In the first place, you felt indignant and spurned the offer ?

A. I did.

Q. And you would have continued to act in that way ?

A. Yes.

Q. You spoke about Wilkinson telling you about a mortgage of \$20,000, and connected my name with it. Are you sure about that ?

A. He said the Solicitor of the party.

Q. And you assumed that it was I ?

A. You had been mentioned in another conversation as the Solicitor of the party.

By Mr. BLAKE.—You were asked a question as to whether Kirkland did not seem to be acting for himself in the first interview ?

A. Yes.

Q. Then you were asked also as to whether he did not make some statement about his matter being carried on more on its merits than it seemed to be carried on, and that there was an explanation given to him that it was impossible to carry it on in any other way. About when was that explanation made? You said that then a change had taken place as to Kirkland's action in the matter?

A. I told him in the first conversation that I could not vote against the Government. Then he came on the Thursday after I had seen Wilkinson with a proposition of payment for advocating this policy, even if I could not vote for it. Then it was on the Saturday that the others wanted to know, he said, what I would do.

Q. And it was then you perceived a change in Kirkland?

A. Yes, on the Saturday.

Q. State distinctly what the change was?

A. Well, that he was working with the other party, because he said he had had a meeting with Bunting, Wilkinson, and these other parties, and had talked matters over in regard to the timber policy, and he came to me then, not only for himself, but as representing some others.

Q. And his timber policy was to be gained by the defeat of the Government?

A. Yes.

Q. Now, in regard to this question of the receipt of the money: you say that the Government said, "Let them go on and see how far they will go"?

A. Yes.

Q. You also stated that Mr. Pardee told you that from the beginning of the session they had heard that attempts would be made to buy up members?

A. Yes.

Q. Why was it thought reasonable that you should take the money?

A. In order that there might be evidence.

Q. It was simply your word against the word of these men? And, in order to see first how far they would go, and in the second place to get the evidence in your hands to let them go on?

A. Yes, the Governemnt explained that I would put myself in an invidious position by going so far and letting them deny that anything had taken place, but if the money was handed over it would save me from that, and put the matter beyond a doubt.

Q. It would cease then to be a matter of joke, because there would be the evidence?

A. Yes.

Mr. Meek objected that Mr. Blake was leading the witness.

Mr. Blake replied that it was allowable to give a resume of the evidence which had been given already, and remarked that he had done no more than that.

The CHAIRMAN.—I do not think that there has been any leading of the witness.

Q. Upon this day on which you did receive the money, what had been your intention?

A. Not to go any further—not to have anything more to do with them.

Q. Was it with that view that you were going to the House?

A. I had started to the House, and had made up my mind that even though it was thought best, I would not go on—I did not care about touching it then.

Q. Until you were recalled in the way you stated?

A. Yes.

Q. Did you receive it for any other purpose than as a matter of evidence?

A. For no other purpose.

WILLIAM WARD, Inspector of Police, recalled by Mr. Blake.

Q. Have you produced the papers asked for?

A. Yes; those are the balance of them in the envelope.

Q. When did you put them in the envelope?

A. When the others were separated to give to Mr. Kirkland.

Q. On that occasion they were put in the envelope?

A. Yes.

Q. They have remained there since, and you have now opened the envelope?

A. Yes.

Q. And you have no other papers belonging to them?

A. None belonging either to Mr. Kirkland or Mr. Wilkinson.

By Mr. MEEK.—Q. There are no other papers of Wilkinson's?

A. No, he got all his papers.

PETER GRAHAM, called by Mr. Blake, and sworn.

Q. You are a member of the Local Legislature?

A. Yes.

Q. Representing what County?

A. East Lambton.

Q. And you were present at the House last session?

A. Yes.

Q. Did you come in contact with Mr. Kirkland?

A. I did.

Q. Did you know him before the session?

A. No.

Q. About what period in the session did you become acquainted with him?

A. Some time in February, I think.

Q. The House began on the 23rd of January, and the first vote was on the 5th of February; was it before the first vote was taken?

A. I could not say.

Q. Under what circumstances did you meet him?

A. I was introduced to him by Mr. Lyon, the member for Algoma.

Q. Upon your introduction to Mr. Kirkland, what took place?

A. Nothing in particular at that time; just passing the time of day.

Q. At a subsequent period did you meet?

A. Yes, frequently.

Q. Had you any conversation with him?

A. I had a short conversation one day respecting the timber policy of the Government.

Q. What was the subject of it?

A. He intimated to me that he wished to get the timber policy of the Government changed, that it was not in the interest of the country as it was at present, and that he would prefer the land being sold, timber and all. He said at the same time that he understood that I had voted against the timber policy in a previous session. I said I had, but that this was a different question, and that I was satisfied with the present policy, that I was not satisfied with the one which had been introduced at the beginning of the previous session, thinking it not in the interests of the settler.

Q. But that you were in sympathy with the present policy?

A. Yes.

Q. Did he say anything further to you?

A. He spoke something about Caldwell, and said he was trying to outbid him in his limits. He said that he had as much money as Caldwell. That was all that passed.

Q. When was the next conversation.

A. It was in my own room in the hotel.

Q. Do you recollect about the date of that?

A. I think it was on the 12th of March; it was on the Wednesday previous to their arrest; to the best of my recollection that was the day.

Q. Where were you boarding?

A. At the Walker House; my room was No. 38.

Q. Did he come to your room?

A. Yes.

Q. What passed?

A. He asked me if any person had been speaking to me about timber limits; if Mr. Lyon was speaking to me; I said he had been; he said he had come to make the arrangement—to conclude the bargain; I was smoking a cigar and reading a book: I got up and shook my fist in his face, and said, "You cannot carry enough money to buy me;" I said that I was a Canadian representative and not a purchasable commodity; I told him I wanted him to understand that this was not Yankeetown; that he was playing a dangerous game, and that I did not think he would get one of the Government supporters.

Q. Did he define his offer?

A. No, I did not give him time.

Q. Did he mention figures?

A. No.

Q. What did he say after that?

A. He got up and said, "Well, if I cannot induce you to vote against the Government," perhaps I would make a short speech, and I would get something substantial; he said, "You will get something substantial, you understand;" I said I did not want any understanding about it, and he left the room.

Q. So you haven't got the money to corroborate your story, because you broke it off in that way?

A. No.

Q. Did you see him again?

A. I met him on the evening of the 17th: he bade me good evening; that was going out of the cloak-room, and he said he wanted to have a chat with me; I said I did not want to speak with him.

Q. Had you any interview with Wilkinson?

A. No.

Q. Do you know him?

A. I have met him occasionally; he was pointed out to me?

Q. No further approaches were made to you?

A. No, none.

By Mr. CASWELL.—The first time you saw Kirkland and spoke about the money was on the 12th of March?

A. I think that was the date.

Q. It was the Wednesday of the week before he was arrested?

A. Yes, as near as I can recollect.

Q. He asked you if you had seen Mr. Lyon?

A. He asked me if Mr. Lyon had spoken to me.

Q. I suppose Mr. Lyon had spoken to you?

A. Yes.

Q. There was nothing wrong between you and Mr. Lyon?

A. No.

Q. I suppose he urged that there should be a change of policy?

A. No.

Q. Had he spoken favourably of a change?

A. No.

Q. What did he say?

A. He said he intended to vote against the Government on the timber policy.



Q. Did he ask you to support a change by vote, or in any other way?

A. No, Mr. Lyon did not.

Q. Did Mr. Kirkland ask you to support a change?

A. Yes.

Q. You had made no promise?

A. No.

Q. Had he asked you before the 12th to vote against the Government?

A. Yes.

Q. Generally, or on the timber policy?

A. On the timber policy.

Q. Did he explain to you that there was a motion or question coming up upon which this timber question would arise?

A. He said something about it, I do not recollect what.

Q. Did he put it: "To vote against the Government," or "In favour of a change?"

A. He said in favour of a change.

Q. Then it was simply voting in favour of a change.

A. Yes.

Q. Now we come to the 12th; you said Lyon had spoken to you; what did he say after that?

A. He said he had come to conclude the bargain. I said Lyon had spoken to me, and he said he had come to complete the bargain or arrangement—I cannot remember which word.

Q. Then, what was your answer?

A. I threw down my book, and I said, "Kirkland, you cannot carry money enough to buy me."

Q. No one had mentioned money?

A. There was the inference.

Q. You had an idea that there was money?

A. Yes, money offered, though I had no idea of accepting it.

Q. Had you ever been bought before?

A. I think not.

Q. Had any person made any offer of money to you before in any other Parliament, or at any other time?

A. No, never.

Q. You said all the money he had could not buy you?

A. I said he could not carry enough money to buy me.

Q. What did he say?

A. He said, "If I cannot induce you to vote against the Government, will you make

a short speech against it?" and he said, "You will get something substantial." He repeated the word "substantial" twice.

*Q.* Could there be any mistake about the words he used? You clearly understood that there was an offer of money? What was that something substantial?

*A.* Well, you can take your own view of that. I suppose it was something tangible—something you could take hold of.

*Q.* Money or money's worth?

*A.* Yes, I think you understand it pretty well.

*Q.* Did he seem surprised when you said all the money he had could not buy you?

*A.* I do not think he was much surprised. He would not have made the answer he did if he had been.

*Q.* You do not think he was surprised at your refusal?

*A.* No.

*Q.* What was your answer as to making a speech in favour of a change in the timber policy?

*A.* Well, it was perhaps rather irreverent. I told him to go to Halifax, and if not there, he could go further.

*Q.* Did anything further take place on that occasion?

*A.* No.

*Q.* He did not produce any money, and he didn't offer any?

*A.* No.

*Q.* Did he seem to be in earnest?

*A.* I think he was.

*Q.* I suppose you and he had been intimate during the session?

*A.* No.

*Q.* Had you met?

*A.* Yes, occasionally in the Walker House, and once in the Rossin House.

*Q.* Anywhere else?

*A.* In the Parliament Buildings, of course.

*Q.* But outside of that?

*A.* I never met him anywhere else.

*Q.* In no other hotel or house of entertainment?

*A.* No.

By Mr. MEEK.—You didn't tell any member of the Government that any offer had been made?

*A.* No.

*Q.* You acted the part of an honorable man, and stayed away. Possibly if you had told the members of the Government you might have been induced to take another course?

*A.* No, I don't think so.

Q. Had McKim seen you?

A. Yes.

Q. Didn't he introduce the question?

A. He asked me a question, and I answered it.

Q. What was the question?

A. He asked me if I was going to take money from Kirkland, and I said no.

Q. You had seen no person at all—no member of the Government or any person else?

A. No, with one exception; previous to all this I was asked by a member of the Government what was this report about certain supporters of the Government going to vote against them on the timber policy; I said that I was not.

By Mr. BLAKE.—You said that Mr. Kirkland had stated that he had come to make some agreement or bargain?

A. I could not say which word he used; I felt annoyed.

Q. Had Mr. Lyon seen you before Mr. Kirkland saw you?

A. Yes.

Q. Had Mr. Lyon made any statement to you?

A. He said jokingly, "Do you want some money?" I said I always wanted money. He said, "You can get a thousand or two, with five hundred dollars down, for your vote." I said what was it for. He said it was to vote against the timber policy.

Q. Did he say where you could get it?

A. He said that Mr. Kirkland would be willing to pay it.

Q. And when Kirkland came to you you had those things in your mind; you had that interview in your mind?

A. That was it.

Q. Kirkland seemed perfectly in earnest?

A. Yes, perfectly in earnest, I think.

The Commission adjourned till 2 o'clock.

The Commission resumed at 2 o'clock.

JAMES CRAWFORD WELSH, called by Mr. Blake, and sworn.

Q. You are the Accountant of the Bank of British North America in the city of Toronto?

A. Yes sir.

Q. You were examined before the Committee of the House in this matter?

A. Yes sir.

Q. Do you remember that day in March, the 15th, as you said, some persons coming into your bank?

A. Yes, on Saturday, the 15th of the month.

Q. Who were the two that came into the bank ?

A. Fred. Stimson was one, and John Shields I was informed was the other. I did not know John Shields personally.

Q. Frederick Stimson you did know personally ?

A. Yes.

Q. Had you known him for some time ?

A. Yes, some four or five years.

Q. Had you been in Ottawa ?

A. I was stationed in Ottawa.

Q. And there you had known Mr. Stimson ?

A. There I had met him.

Q. Had you seen Mr. Stimson some time before ?

A. No, I had not since I left Ottawa. Of course I saw him—

Q. That is the man (showing photographs) ?

A. Yes. (Photographs marked exhibits M and N.)

Q. What request did he make ?

A. He wanted me to give him some \$100 bills for large ones.

Q. What were the denomination of the bills that were presented to you to be changed ?

A. Six \$500 bills.

Q. And what did he ask you to change them into ?

A. He wanted \$100's.

Q. And was this the denomination into which you did change them ?

A. Yes, the \$100 bills of our bank.

Q. You cannot swear to the identity of these bills, I suppose, but that was your issue of March 15, 1884 ?

A. Yes.

Q. And either these identical bills or some identical with them were what you changed them into ?

A. Yes.

Q. Of course you do not keep the numbers in your book to be able to identify them further ?

A. No sir. (Bills put in as exhibits D. and E.)

Q. Now, which of these men was it took out the money to have it changed ?

A. Mr. Stimson.

Q. And had he other money with him at the time ?

A. Yes, he had quite a roll of bills.

Q. From this roll of bills did he take the \$3,000?

A. Yes, he took the six \$500 bills.

Q. Who was it that told you the other gentleman who was with him was Mr. Shields?

A. I had seen him previously with Mr. Stimson, and I had been informed—in fact, I knew him at the time he came in that he was Mr. Shields, although I did not know him personally.

Q. And you now know that the person who came in was Mr. Shields?

A. I am positive.

Q. Would you be able to say what amount of money there was in Stimson's hand, supposing it to be in \$500 bills?

A. He had \$500 and \$1,000 bills both. The outside bill was \$1,000 bill. I should say he had from \$6,000 to \$10,000—just guessing.

Q. Then you gave him the bills?

A. I did.

Q. Did anything further pass between you?

A. No sir, nothing. He gave us the \$2,000 in Dominion notes.

Q. Had you seen him in the city prior to this Saturday?

A. I had.

Q. Where had he been staying?

A. At the Club Chambers.

Q. Do you know how long he had been in the city?

A. I do not.

Q. How long before this Saturday had you seen him?

A. I think perhaps a day or two previous.

Q. You had not seen him before that in the city?

A. No sir.

Q. Where was it you had seen him previous to the Saturday?

A. I met him on King street.

Q. And were you well enough acquainted with him then to speak with him?

A. Yes, I went up and shook hands with him, and had a long talk with him.

Q. Are you aware where Mr. Stimson is at present?

A. No, I do not know.

Q. Do you know what his occupation was?

A. He was a Rancher in the North-West.

Q. Did you see him after that Saturday?

A. No.



*Q.* You could have no means, of course, of ascertaining whether these were the identical bills?

*A.* No, none whatever. \$100 bills as a rule are in moderately good condition, moderately clean and bright.

*Q.* Now, you have said that this is a photograph of Mr. Stimson; would you just give a description of him—what height was he?

*A.* He was a large man, I should say a little over six feet.

*Q.* Then as to whiskers or otherwise?

*A.* I do not exactly remember; I do not think he had any whiskers. Perhaps he had a little whiskers up at the side.

*Q.* What would be the colour?

*A.* He had a florid complexion—I should say darkish whiskers—no decided colour.

*Q.* As to his shoulders?

*A.* He had a slight stoop. He was a big man bodily, but this stoop detracted from his height.

*Q.* You think that was perceptible?

*A.* Yes.

*Q.* And you do not know anything further about this matter than what you have told us now?

*A.* Nothing whatever.

*Q.* You are still in the employment of the Bank?

*A.* Yes sir.

GEORGE HENRY COMBERBACH DUNSTAN, called by Mr. Blake, and sworn.

*Q.* What was your engagement in the city in the month of March last?

*A.* Paying Teller in the Federal Bank.

*Q.* Are you still in that same establishment?

*A.* Yes sir.

*Q.* Do you remember on the 15th of March some persons coming to you and asking you to change some bills?

*A.* Yes sir.

*Q.* Do you know who they were?

*A.* Mr. Shields and Mr. Stimson.

*Q.* And what was the request they made of you?

*A.* They wanted to know if I could change some \$1,000 bills into \$500's.

*Q.* And the \$1,000 bills were of what denomination?

*A.* They were \$1,000 bills of the Dominion issue.

*Q.* They were the legal tender notes of the Dominion?

*A.* Yes, sir.

*Q.* And to what amount had he these \$1,000 bills?

*A.* He had a good sized roll in his hands, as much as you could conveniently hold.

*Q.* Amounting to what, would you think?

*A.* The top bill was \$1,000, but I do not know what the rest were.

*Q.* You knew the second, the third and the fourth were, I think.

*A.* Yes.

*Q.* So that four at all events were \$1,000 bills, and there was a good handful left over after?

*A.* Yes.

*Q.* And he simply asked you to change them into \$500 bills?

*A.* I have an idea that he asked us to change them into \$100 bills first; and I told him we had none of our own issue, and then he asked for \$500 bills.

*Q.* You have \$500 bills of your bank?

*A.* No, I think \$50 were the largest we had.

*Q.* Then what did you give him of the \$500 bills?

*A.* The same as he gave me—Dominion notes.

*Q.* But three of those were changed?

*A.* He gave me two \$1,000 bills, and I gave him four \$500's, and then he said, "I think you might as well give me another," that was making \$3,000 altogether.

*Q.* Had you anything between the \$500 and the \$50?

*A.* I could give him \$100 notes legal tenders, but he did not want those.

*Q.* The result was that being asked for \$100 bills, and not having them, you gave him \$500's to the extent of six, and took the three \$1,000 bills?

*A.* Yes, sir.

*Q.* Had you known Mr. Stimson before?

*A.* No, sir.

*Q.* Would you know him from his photograph?

*A.* No, I would not, because the railings of the counter were between us, and I did not notice him particularly.

By Mr. Commissioner Scott.—*Q.* I understand you to say that it was Mr. Stimson?

*A.* I learned that afterwards, but at the time I did not know who it was.

By Mr. BLAKE.—*Q.* Who was with Mr. Stimson?

*A.* Mr. John Shields.

*Q.* You know him?

*A.* Yes, sir.

*Q.* How came you to know it was Mr. Stimson?

*A.* Because Mr. Shields told me subsequently

Q. Had you met Mr. Stimson?

A. Never saw him before or after, that I know of.

Q. You had known Mr. Shields previous to that?

A. Yes, sir.

Q. Who was it brought the money in?

A. Mr. Stimson.

Q. What day was it that Mr. Shields told you that it was Mr. Stimson?

A. On the subsequent Friday, the 21st of March.

Q. And you had no conversation with Mr. Shields about Mr. Stimson until the Friday after the bills were changed?

A. No, sir.

Q. And that is all you know about this matter?

A. That is all I know.

Q. It was on the Saturday you changed the bills?

A. Yes, the 15th of March.

ROBERT M'KIM, recalled by Mr. Blake.

Q. Can you recognize that photograph (showing Exhibit M and N)?

A. Yes, that is the likeness of the man that was introduced to me as Lynch; the only thing I notice is that the side whiskers were cropped a little closer than that.

Q. Then as to the round robin; I had not the paper when I examined you before; will you say whether that is such a one as was presented to you (showing)?

A. About the same in substance, but not got up in the same style.

Q. Just read it over, and see if in substance it is the same?

A. Yes, it is the same; I saw the document before.

Q. Do you know in whose handwriting that is?

A. I believe that is Mr. Wilkinson's; I saw him write on the back of Macpherson's letter.

Q. Did Mr. Wilkinson say anything to the effect that if proceedings were taken, or anything as to how they would carry the thing through?

A. How do you mean.

Q. Did he say anything in regard to swearing?

A. Oh yes, he said the men they took up, when they undertook a man they would swear him through; such as in my case.

Q. In what connection was it that Mr. Wilkinson made that remark?

A. It was about the time he was making me these offers; I think it was some time in the beginning of the interview with him.

JOHN CASCADEN, called by Mr. Blake, and sworn :

Q. You are a member of the Parliament of the Province of Ontario ?

A. I am.

Q. And you were, during the last session ?

A. Yes, sir.

Q. What constituency do you represent ?

A. West Elgin.

Q. Had you been in the House before the last election ?

A. During the previous Parliament.

Q. Do you know whether or not there was a very considerable contest at the last election between the two parties in the province ?

A. I am aware of it.

Q. And what was it that made the contest so very warm between the Dominion and the Local Legislatures ; were there any questions between them ?

A. There were certain very prominent questions—Jurisdiction among other things.

Q. One we have had read out to us to-day, as the License question, the Streams Bill, and such matters ?

A. Yes, the question of the boundary, and so on.

Q. And was the contest fought bitterly or otherwise ?

A. Very warmly.

Q. And it resulted in a return to the House of a majority of which party ?

A. The Liberal party that supports the Government.

Q. A large or small majority ?

A. A rather small, a reduced majority.

Q. Were there any protests against the sitting members ?

A. A large proportion of the elections were protested.

Q. Your own, I believe ?

A. Yes, among the rest.

Q. So the contest was warm as you say between the parties, and then there were the protests, and then it came to the third feature of it ?

A. Yes, the strife was maintained throughout the year.

Q. And then how long had you been in the session before anything of an approach was made to you ?

A. The session began in the middle of the week, on the 23rd of January. It was during the following week. The following Monday I was away home, ill and unable to get down. But during the remainder of the week—it would be the 2nd or 3rd of February.

Q. And just mention to the Commissioners in what shape the approach was made?

A. I had been apprised by the head clerk of the hotel where I boarded that Mr. Meek called upon me.

Q. Who is Mr. Meek?

A. Mr. Meek is a barrister of this city, a former resident of West Elgin, and a former acquaintance of mine.

Q. And what is his position—is he a Reformer or a Conservative?

A. He is now, I believe, a prominent Conservative, he told me. When I knew him first and most he was a Liberal. I had been apprised that he wished to see me on my return from home on Tuesday of the second week of the session, and that evening, or an evening or two afterwards, he met me in the hotel.

Q. You were staying at the Rossin House?

A. Staying at the Rossin House. And drawing me into conversation aside, he wished to have a private chat, which I consented to at once. Very soon, after some preliminaries of a general character as to our families, and invitations to visit him at his home, and all that sort of thing, he launched out into a statement of his position in the party. He said, "You know my position in the Conservative party?"

Q. Did he mention what his position was?

A. Not definitely—that he was in a trusted position, a sort of executive position. He assured me he was in a position to speak for them. He wished me to assist in the overthrow of the Government.

Q. What reasons did he assign, or upon what did he base this desire?

A. The general statement of there being too much partyism in the country—the general statement that the country would be better if a less virulent course were pursued, and a more moderate course.

Q. So you were to undertake to obliterate party lines by defeating the Government?

A. Yes.

Q. Did he define any plan to you then?

A. I learned enough of it to know that he was speaking in earnest in this business, and I regretted that I had allowed him to communicate more fully than I otherwise would if he knew my hostility to his scheme. I then told him that I was anxious to retire, when he assured me that he would see me again as to the matter. He did see me again.

Q. How long after this first interview was it that he saw you again?

A. He was the first man I met after I stepped out of the elevator the next morning. Being ill, it was late when I got down.

Q. Did you understand from him whether or not you were the first person that had been approached?

A. No, I understand from him that there were five or six others who were willing to go into this scheme of defeating the Government.

Q. He told you so?

A. He told me so.

Q. On this second occasion, just mention to the Commissioners what took place between you?



A. I am unable to say when the various statements were made, whether on the night interview or on the following morning, because it seemed to be a continuation of the same conversation, and I cannot say what occurred then or what occurred the following morning ; But I asked him what was the scheme, and he said it was to form a Coalition.

Q. What was to be the first step in the formation of a Coalition did he mention ?

A. It was, to embrace two, and he would be willing to concede three, members from the Liberal party, and the other three from the Conservative party.

Q. Did he mention how matters could be put in such a shape first to get a Coalition?

A. Do you mean as a policy ?

Q. Yes.

A. No, he did not.

Q. Was anything said as to defeating the Government ?

A. That that would be secured by five or six of us voting for certain resolutions that were to be submitted ; I was to have my choice of supporting one or other of five or six resolutions that would be submitted to me.

Q. Each one of which was to have for its aim the defeat of the Government ?

A. Quite so.

Q. And then upon the overthrow of the Government was to spring up this Coalition ?

A. Yes sir.

Q. Did he further proceed with any reasons why you should support that ?

A. As to the propriety of these resolutions ?—he did not indicate what these resolutions were.

Q. Did he hold out any inducement to you ?

A. He did.

Q. And what nature were they ?

A. I was not to be required to attend throughout the session ; I assured him I was unable to guarantee any Government or party my support on account of my health as one of my reasons for not going on with those negotiations further ; and he assured me I could support one of the resolutions and then go home without resigning ; but upon my assuring him that I could never return to West Elgin, after having so broken the confidence of my supporters as another reason for breaking off the negotiations, he assured me that it would not be necessary—that I should have the registrarship of Regina at \$1,800, and three or four thousand dollars to pay my expenses out there.

Q. Was the place stated ?

A. The name of Regina was mentioned.

Q. Was it mentioned as a good and healthy place to be recommended ?

A. I was given to understand that I could have a cheque for that amount \$3,000 or \$4,000.

Q. Did he tell you that he was Treasurer ?

A. He did not.

Q. Was it stated what the \$3,000 or \$4,000 was for?

A. Yes, it was to be for transport expenses.

Q. Well, if Regina did not suit you, was there any alternative?

A. Yes, I was to have my choice; British Columbia was mentioned, that I might make a choice there; I spoke of Regina being too austere a climate for my health.

Q. Did anything else pass between you, or did that end your interview?

A. It did practically: so far as offers were concerned, that is all the offer made to me.

Q. Was the name of any person mentioned by Mr. Meek in connection with any of these offers?

A. I asked him directly who was to be the leader of the new Government?

Q. Yes, but of any person in connection with the offers made to you?

A. No sir, he named no one: I remember of no name been given by Mr. Meek on that or any other occasion.

Q. Did he ever offer to introduce you to any person?

A. He suggested my going to see Mr. Bunting.

Q. Was that at one of these interviews?

A. It was early in the interview of the first evening.

Q. And what was to be the object of your going to see Mr. Bunting?

A. I do not know, any more than I knew Mr. Bunting to be a Conservative, which Mr. Meek was aware of; he did not assign any reason; I do not know what his reason was.

Q. Who is Mr. Bunting?

A. I learn that he is the proprietor of the *Mail* newspaper.

Q. That is a paper published in Toronto?

A. Yes.

Q. Did he say anything about any authority from him?

A. Not from Mr. Bunting: he spoke as if he represented in that way the Conservative party.

Q. Then, how did that interview break off, if it did, or what next happened?

A. The first evening I said to Mr. Meek, "Nothing can come of this, and I feel too ill to remain up," and I went in the elevator and went into my room. The next day I asked him who was to form the Coalition Government; that was the second interview; we had only two interviews; and he named Mr. William Meredith as the leader of the new Government. I sought to make that the occasion of breaking up the interview, because, I said, after the West Middlesex election and its revelations, and the Weekes' business, I would not support him as a member of the Coalition Government. Mr. Meek assured me that what he said then was merely a matter of his own saying, and that he was not speaking in a representative capacity or for the Conservative party, but that it was simply a matter of his own conversation that suggested itself to himself.

Q. Was that the way he opened the conversation?

A. No sir, it was not.

*Q.* Did you see Mr. Wilkinson at all about the House?

*A.* I never saw him to know him until he was pointed out to me in the Police Court after the session.

*Q.* And did you see Mr. Bunting at all?

*A.* I saw him a few days afterwards.

*Q.* On what occasion was that?

*A.* A note was passed over to me in the House by the member for East Elgin, Mr. Ermatinger, asking to have an interview with me in the corridor.

*Q.* How long was that before the interview with Mr. Meek?

*A.* The following Monday afternoon, shortly before six o'clock.

*Q.* Were you introduced?

*A.* I saw Mr. Ermatinger in the corridor of the House, and he proposed adjourning for some conversation to the refreshment room, which we did immediately or almost immediately, and then Mr. Bunting came in and I was introduced to him.

*Q.* What passed between you?

*A.* Some hasty words. He spoke of the independent speech Mr. Gibson of Hamilton was making at the time. He spoke of his rallying the Government—that it was independent and right, he was pleased to see it, and it would be well to obliterate such strong party lines and amalgamate or coalesce, and referred the conversation to me, if I did not think so. I felt from the expression of surprise, and the word of surprise that Mr. Ermatinger and Mr. Monk employed when Mr. Bunting came into the refreshment room—because I saw them near him in the chamber a few moments before, I thought the expression of surprise was feigned, and it made me think that that interview with Mr. Bunting was sought for some purpose the same as that with Mr. Meek, especially as Mr. Meek had proposed that I should go and see Mr. Bunting. I at once associated that with Mr. Bunting's expression about Mr. Gibson, and became at once resentful; some violent language passed between us, and I left the room.

The CHAIRMAN.—What Monday was that?

*A.* It was the first Monday in February.

Mr. BLAKE.—The plan of this coalition was that it was to be only a coalition for the Ontario Government—it did not embrace one for the Dominion?

*A.* Not at all. At least there was no reference made to the Dominion.

*Q.* So that the party lines were only to be obliterated here and not there?

*A.* Quite so.

*Q.* Then you did not see Mr. Bunting afterwards?

*A.* Not to speak with him. I saw him in the House afterwards, but I had no conversation with him.

*Q.* And do you know anything more yourself, personally, of any of those offers or of matters connected with this enquiry?

*A.* Nothing more, except one matter that I had quite forgotten at the Police Court. The day of the exposure of this matter in the House, I was going up to dinner, and Mr. Kirkland met me at the elevator on the second flat where my room is, and went with me in the direction of my room so far as to reach his own room which was a portion of one

corridor, and during that short walk he asked to have an interview with me later on. He understood that I was at Algoma assisting Mr. Lyon in his election, and was therefore somewhat interested in his success, and he said that if a certain line of land policy was changed, was reversed by a vote in the House, that he was in a position to arrange for the withdrawal of the petition against Mr. Lyon which was then pending against him. I said, "I have not dined yet; I am in a hurry, I may perhaps see you later on." But I did not see him later on. That was on the Monday, the 17th March. The conversation only lasted a minute, and it was all on his own part.

Q. And that is all you know?

A. That is all I heard of this matter.

By Mr. MEEK.—Q. When did you say that our acquaintance began?

A. I did not say.

Q. Can you say?

A. I cannot say definitely. I think fully 20 years back—22 or 23 years.

Q. The time I went to school to you when I was a boy; I suppose you recollect that?

A. Yes; many things.

Q. Do you recollect my meeting you several times at the various sessions of Parliament?

A. Yes, I think almost every session.

Q. You did not look upon it as anything unusual my speaking to you on this occasion?

A. No, not the slightest.

Q. Now, where did that interview occur?

A. It occurred in the Rossin House—the first one and the second one.

Q. Are you sure of that?

A. Quite sure; I was rather uncertain at first, but I am able to associate matters with it now that make me quite certain.

Q. Are you as positive about this as you are about everything else you have stated?

A. I am positive that the interview occurred in the Rossin House.

Q. I ask you are you as positive on that point as you are about everything else you have stated?

A. I am; I remember about references I made there in the conversation; I remember distinctly going to the elevator; that is the reason why I am positive about its being in the Rossin House?

Q. Do you recollect that upon that occasion you spoke to me about your course in the House, and about your getting away for the session, that you were ill, that you had the sciatica?

A. Yes.

Q. And that you intended to go the hospital for three weeks?

A. Yes, sir.



Q. That was the beginning of the conversation, was it not?

A. No, sir; it was not the beginning of the conversation.

Q. First we began shaking hands and sitting down, and you telling me about your having the sciatica?

A. No, that was not next in order.

Q. Well, what was next?

A. Well, it was of very little consequence; that was not the second or the third thing referred to.

Q. Well, what was the second or third?

A. An inquiry in regard to the news from Elgin, an inquiry in regard to my family, an apology about my not visiting you at your home, and exacting the promise that when my wife came down—a lot of this general chat that is not worth discussing; and then the question about my health, and you understood it was quite poor, and I told you it was and the nature of it; that is about the line of the conversation.

Q. And that you intended to go to the hospital for three weeks?

A. Yes.

Q. And that if you did not get any relief from that, you were going to New York?

A. Quite so—that is all correct.

Q. And do you recollect my saying to you that probably that would make some difference in the voting in the House, as the majority was very narrow?

A. You did not state that as a matter of great consideration at that time.

Q. Do you remember my saying to you, "That will take one vote away, which would make a difference of two in the majority?"

A. You may have said that; I do not remember.

Q. Do you recollect your saying that you did not care about that?

A. Not at that time, sir. I remember distinctly playing the rôle of being very indifferent to the fate of the Mowat Government after you said you were the representative of the Conservative party, and willing to treat for them.

Q. What reason had you to play any rôle with me?

A. Because, sir, in the first place I had heard rumors.

Q. Whom had you heard rumors from?

A. From several parties in various parts of the Province that it was still on the cards, even though the elections were over, that Mowat must go.

Q. That was the rumor?

A. Yes, and other rumors; I heard of members being approached during the summer.

Q. When did you begin to play this rôle?

A. After you made proposals to secure my support for a consideration.

Q. Didn't you say that you did not care, that the party and the Government had not treated you properly?

A. I spoke very much in that strain.



Q. You said that you had a bitter party fight every time in your own constituency, and that your party had not assisted you one cent?

A. I never said that, because my party was never required to assist me.

Q. The heads of the party here, and that you had to pay your own expenses?

A. I never did, because I had no expenses but the most paltry expenses.

Q. Didn't you say that you could carry your constituency in spite of the whole Mowat Government?

A. Yes, sir.

Q. Didn't you say that you told them so?

A. I may have said that.

Q. Didn't you say that you had attended a meeting of the Cabinet, or the Ministers, previously, and that you had done some pretty tall swearing at some of them?

A. I never said so, and it never occurred. What I did say was that I had some conversation with some members of the Government, which was very unpleasant; but it was no Cabinet meeting or Government meeting. I never was at a meeting of the Cabinet in my life, and never said so, because I suppose you would think it was absurd.

Q. Didn't you tell me that you had shook your fist in Pardee's face?

A. Yes, I did.

Q. Didn't you tell me that you swore at Mr. Pardee, or Mr. Hardy?

A. No sir, because I did not swear at either of them. There is nothing but the most perfect accord between them and me.

Q. Will you deny that you said so?

A. I will not deny, but I do not think I said so.

Q. Didn't you say to me that you had had some difficulty about some office or patronage in Elgin with members of the Government?

A. No.

Q. Do you deny that?

A. I most positively deny that.

Q. Didn't you say to me that the patronage had always gone to the east?

A. I did sir.

Q. And you were bound to get some of it for West Elgin, and you were entitled to it

A. Yes sir.

Q. Do you remember of my then speaking of the Shrievalty—that Mr. Sheriff Munro was supposed to be dying?

A. I remember distinctly that we did.

Q. And that it was expected to be vacant very shortly?

A. I remember we discussed Munro's health.

Q. Do you recollect my saying to you that I had been informed that Mr. Nairn had a written promise of the appointment?

A. I do not think you went that far..

Q. Do you remember my telling you that Mr. Freeman and Mr. Widdifield, members of the House, were my authority for saying that?

A. I do not remember that.

Q. Do you deny that?

A. I do not deny that, because I told you at the time that I heard from Mr. Ermainger that Mr. Nairn had the promise of it.

Q. Didn't you say that you were damn sure he would not get it?

A. I remember saying that I would make my best efforts to get it for my riding.

Q. Will you deny that you said that?

A. I won't deny that.

Q. That was part of the rôle you played?

A. Yes, that was part of the rôle.

Q. Do you remember after this conversation my speaking of the advisability of a coalition being formed?

A. You stated it before that.

Q. You did not swear that before. You said in your evidence at the Police Court that all this occurred before any bribe was offered to you, or any talk about the change of Government?

A. No sir—before any particular consideration was mentioned.

Q. You swore in the Police Court that all of this conversation regarding your quarrel with the Government, and the Shrievalty of Elgin and all that, occurred before any approach was made to you—(reading).

Q. "Did you tell Mr. Meek that you had sworn at Mr. Pardee?"

A. Yes, probably I did.

Q. Did you tell him why you did?

A. Yes, because I understood the patronage had gone to the east instead of the west."

Q. And made him believe that you were forcing the Government to do what you wanted?

A. He strains that point. I did not force the Government, nor I could not force the Government. I knew it very well. Another thing, Mr. Pardee had not the disposal of that office.

Q. Why did you tell him all that, when you were trying to keep away from him?

A. I was not very anxious to keep away from him at that time.

Q. When he was approaching you why were you telling him all your grievances?

A. The most of that occurred before any bribe was offered. That is quite correct; I did not say any of what you tried to make me say now; that is what I said then, and that is what I say now; I quite subscribe to the statement in that evidence.

. Well, I will make you swear to it before you are through?

A. I do swear to it now.

Q. You also admit that everything you said to me you asked me should be confidential, did you not?

A. By no means, not a word of it.

Q. And when I spoke to you, you also agreed that it should be confidential?

A. That is correct.

Q. Upon your honour and upon the square?

A. There was no pledge of that kind because you are not a square man.

Q. Didn't you say upon your honour?

A. Yes, but you asked me now if I did not accede to your proposal that this should be a private conversation on your honour, and I said nothing of the kind.

Q. Didn't you state that before at the Police Court?

A. I stated that you had asked me upon my honour that it should be considered a private conversation.

Q. You said at the Police Court that I could not have understood anything else than that the whole conversation was in confidence?

A. Yes, quite that.

Q. (Reading.) "You and Mr. Meek have always been on good terms?"

A. "Speaking terms, yes, never an unpleasant word between us.

Q. "The conversation that you had that night was confidential?"

A. "It was.

Q. "When you met you shook hands with him that night?"

A. "As usual.

Q. "When you parted that night you said good night?"

A. "We bade good night; I do not remember about shaking hands.

Q. "Did you part good friends?"

A. "Oh, yes!"

Q. I am reading from the cross-examination of Dr. Cascaden by Mr. McMaster at the Police Court: After I had spoken to you about the effect your departure from the House would have on the Government majority, did I not follow that up with the remark that it was advisable to have a Coalition Government formed to put an end to the party strife?

A. I will not deny that, but you preceded that by saying that it was desirable to have a Coalition Government formed; it was the subject all through.

Q. And did you not say that you entirely concurred in that?

A. I said I quite agreed with you that there was far too much party rancour.

Q. And that you thought it was advisable to have a Coalition Government formed?

A. No, I will not say that.

Q. Do you deny that?

A. No, I rather acceded to what you proposed all the way through.

Q. Didn't you go further and say that you entirely concurred in it?

A. I may have done that but I have no recollection.

Q. And you knew all along that I was relying on your confidence?

A. Yes, making a most dishonourable proposal.

Q. You did not treat it as a dishonourable proposal, did you?—you concurred in it?

A. I ostensibly concurred in it.

Q. Didn't you ask, is any member of the present Government to be a member of the Coalition Government?

A. Yes.

Q. And I said no?

A. Yes.

Q. And then you said you thought that was rather hard?

A. I did ask that, and immediately followed it up by asking who was to be the leader, and you said Mr. Meredith, and then I immediately broke up the interview.

Q. I am asking of the first occasion?

A. This conversation did not occur on the first occasion; that was the only reason I permitted the second interview, that I might find out who the new Government should be; there were persons who observed the interview, though not near enough to hear it.

Q. Do you recollect, after my mentioning to you that it was desirable to have a Coalition Government formed, your speaking about the undesirability of having a Government so weak, and influenced so much by the Roman Catholic hierarchy—do you deny that you said anything about that?

A. Well, sir, I do; I have not the slightest recollection that you or I referred to that.

Q. That it would be more advisable to have a good strong Coalition than to have a Government weak enough to be controlled by the Roman Catholic hierarchy?

A. I deny that, because I do not believe it, and you would be the wrong man to discuss that question with.

Q. Well, you can reason it out somewhere else—I want you to give evidence and not reasoning here—do you recollect, in connection with that, “my majority in West Elgin was small, but it was larger the last time because I got the solid Catholic vote?”

A. I told you that I was indebted to the Irish vote.

Q. Although personally you ought not to be opposed to them, yet you were opposed to the Government being influenced by them?

A. That conversation did not occur.

Q. Do you remember telling me that out of 128 Roman Catholic votes in West Elgin you secured 124?

A. That is right, and you insinuated that if they could be transferred to you by my resigning, you might secure West Elgin, because you were an Irishman.

Q. Will you swear you did not say that

A. No, you asked it distinctly.

*Q.* And you said you had no reason to be personally opposed to the Roman Catholic hierarchy?

*A.* Quite so, much the reverse.

*Q.* Because you had their influence in the election?

*A.* I did not tell you that; I had the support of the individuals.

*Q.* I dare say you would not like to admit that you said that?

*A.* I would not like to admit it, because it is not true.

*Q.* After this had occurred, didn't you say that the main question dividing the parties in the country had now been settled, that is the Boundary Question, by a reference to the Privy Council, and that there ought not to be this bitter strife between them any longer?

*A.* I was not aware that it had been settled; none of the questions were settled; the conversations did not occur.

*Q.* Do you say you did not say that?

*A.* No, because it is absurdly incorrect. There was no decision of these questions at that time.

*Q.* There had been agreement for a reference at that time, had there not?

*A.* Yes, between the two Provinces.

*Q.* Didn't you say that on account of the agreement for the reference of that main question dividing the parties, you did not see any reason why there should be anything of this bitter party strife.

*A.* I might have said that would end to some extent the conflict between the two jurisdictions.

*Q.* And were pleased with that?

*A.* Yes, delighted.

*Q.* And further, didn't you say that it would be a real advantage to this Province if the Government were in harmony with the Government of the Dominion?

*A.* No, I did not.

*Q.* Do you deny that?

*A.* Yes sir, I emphatically deny that. I do not think there was any reference to harmony between the two Governments, and I do not approve of it, do not think it is at all essential. I never gave that as my opinion, and I did not then.

*Q.* Didn't you say it would be better if they were to work in harmony?

*A.* I do not think I ever said it was necessary for the two Governments——

*Q.* I ask you didn't you say that?

*A.* I spoke of the necessity of less party feeling and the bitter antagonism which unnecessarily was begotten between the two Governments.

*Q.* Can not you go a little further and recollect what you told me about bringing the Government in harmony with the Dominion Government, and the Province would thereby be benefited?

*A.* Perhaps I could be brought to explain better if you could tell me what you mean



by the word harmony. I do not think the word harmony was used, because it is very indefinite. I do not know whether you mean harmony or policy, or agreeing to discuss various questions civilly and promptly if they could agree to do that.

*Q.* My recollection is that it was the word harmony—bringing them into harmony, but perhaps you can recollect what was the word you used?

*A.* I do not recollect distinctly what the words employed were.

*Q.* But you feel very strongly and positively that it was not the word harmony?

*A.* I think it was not.

*Q.* Are you positive about that?

*A.* Yes.

*Q.* Then, after your playing this rôle so far, and telling me all these things, and what you were in favour of, do you recollect your asking me whether any members on the Reform side were in favour of that view, or the formation of the Coalition?

*A.* No, I did not ask the question. Early in the conversation you told me there were five or six in favour of it.

*Q.* Are you positive it was early?

*A.* Positive—after the general preliminaries were got over. I was going to ask you who they were, but I was afraid rather you would suspect what I was after.

*Q.* You thought you would conceal that little thing from me, because you thought it would show me what you were after?

*A.* Quite so.

*Q.* Do you say you did not ask me if there were other members on the Reform side who were in favour of that?

*A.* I did not ask it; you volunteered that statement as an encouragement to me to treat.

*Q.* What did I say?

*A.* You said "We have already five or six on the Liberal side of the House who are willing to support this scheme;" you volunteered that as an encouragement to me to do likewise.

*Q.* And you were afraid I might see through you, and therefore you did not ask me the names?

*A.* Yes, I thought I might be asking you too much; that it was a Cabinet secret that had not yet been arrived at.

*Q.* After that do you remember my asking if you would be one of a number to vote against the Government?

*A.* Oh, yes.

*Q.* And did you then ask for a consideration?

*A.* No sir, I never did.

*Q.* Did you say to me that it would result in the defeat of the Government?

*A.* My going against them?

Q. Did you say that you and the others?

A. Oh, yes, I was aware of that.

Q. Did you say it would result in a dissolution of the House?

A. I won't deny that, because I know it would.

Q. Do you remember saying that it would result in a dissolution of the House?

A. No.

Q. And your saying that you would have to go back to your constituents for re election, and you were sure you would be defeated?

A. Yes.

Q. You did say that?

A. Yes.

Q. And your asking me if I could tell you what the party would in that event do for you?

A. No sir, I positively deny that; neither your party nor my own party can do anything for me that I would accept; I have my own profession, which is better than anything they can give.

Q. Do you remember telling me that you had been ruined by politics?

A. Not ruined, but injured.

Q. Financially and otherwise?

A. Financially and otherwise—yes sir.

Q. And you would like to get out of public life?

A. I felt very much like it then, for I was very ill.

Q. And after telling me that it would result in the dissolution of the House and in the defeat of the Government, and that if you went back to your constituents you would be defeated, you asked me "What would you do for me in that event?"

A. No sir.

Q. You deny that?

A. I am pretty positive that such a proposal never emanated from me at all. Why, sir, I would not take three times \$1,800 in Regina.

Q. You were playing a rôle all the time, and why shouldn't you ask this question?

A. Because you were quite aware that it was very absurd for me to look at a \$1,800 office, although you offered it.

Q. Well, we will come to that shortly. Do you recollect your asking me if the party would not do something for you, and my saying I did not know, that I had nothing in my gift at all?

A. No.

Q. Are you positive about that?

A. Yes, quite positive.

Q. Then do you recollect your saying to me that there were plenty of positions in the

gift of the Government in the North-West, and that your position in your constituency, with your friends and some who had been your friends, and relatives, was very unpleasant, and you would like to leave there?

A. Not a word of it.

Q. Do you deny that too?

A. Deny that it occurred at all. I said that upon my proving to be a traitor to my party, and defeating the Government, I would find it very unwholesome in West Elgin, and would not like to go back.

Q. Hadn't you any unpleasantness with your friends and relatives in West Elgin?

A. Yes, sir.

Q. And that they had made charges of murder and other crimes against you?

A. Yes, sir; but you are aware that I had lived out that and carried two elections since then. And you remember that you were up there, and that I had a very successful election, that you spoke up there in 1879, and that my influence in the riding was so strong that you came with Mr. Mitchell to solicit my support.

Q. I remember meeting you on a platform on one occasion?

A. I did not hear you speak. You just stepped down as I rose. Mr. Mitchell is in town, and he is quite truthful.

Mr. MEEK.—He is not here, but I will endeavor to get him, if the Court will allow me, after the examination.

The CHAIRMAN.—I do not like to interfere with your cross-examination, but I would like it to be a little more direct.

Mr. MEEK.—I put my questions directly, but I do not get direct answers; that is the difficulty. (To witness). After that occurred which you say you did not say, after asking what the Conservative party would do for you, and my saying I did not know, didn't you say to me, "They have various positions in the North-West and other places in their gift; couldn't they do something in that direction for me?"

A. Not at all.

Q. And then at that stage telling me about your quarrels and difficulties with your friends in your own neighborhood?

A. You know that.

Q. Then, on my mentioning to you that particular appointment in the North-West, and saying that the difficulty was that it only had a salary attached to it of about \$1,000 a year, do you remember demurring to that, and saying it was small?

A. No. A thousand dollars a year was not mentioned to me.

Q. That was not worth considering at all, didn't you say that to me?

A. I say I did not.

Q. And you saying that there ought to be some \$3,000 or \$4,000 or \$5,000 given to you?

A. Not a solitary word of that kind.

Q. Do you deny it positively?

A. I do.

*Q.* After all this conversation had occurred—I am asking you now about the first occasion we met—on this first occasion do you remember your saying to me that you would consider it, and asking me to meet you again?

*A.* I distinctly declare that I did not ask you to meet me again, but you said you would see me again.

*Q.* Why, you were playing a rôle?

*A.* Not up to that time. I was trying to get away, and I said, “You will have to excuse me, I am going to bed.”

*Q.* Would you be surprised to learn that this occurred in the smoking-room of the Parliament House, with a half a dozen members sitting around who saw it all?

*A.* I would be surprised.

*Q.* And so you could not say you were going to bed?

*A.* I remember it distinctly, and another thought occurred to me, as to how I should best deport myself under the belief I had then.

*Q.* Do you remember shaking hands on parting with me?

*A.* No, I do not think it was necessary. You were living in town.

*Q.* And you do not remember saying to me to meet you on to-morrow at the Parliament House?

*A.* No, you made that proposal.

*Q.* Don't you remember mentioning the time—at eleven o'clock?

*A.* I do not.

*Q.* Do you remember meeting me the following day at the Rossin House about eleven o'clock or twelve o'clock?

*A.* Yes.

*Q.* And do you remember my asking the first question, “How about that shrievalty?” and do you remember slapping your hand on your pocket and saying, “I have that appointment, and it is all right?”

*A.* No, I positively did not.

*Q.* Do you remember my saying to you then, “I suppose you are not prepared to vote against the Government,” in consequence of having this thing all settled about the shrievalty?

*A.* No sir, I do not remember anything of the kind.

*Q.* Do you remember saying to me this, “I am still open to leave for the balance of the session or to resign my seat?”

*A.* That occurred the night before.

*Q.* And “I would be glad to see you at any time?”

*A.* Not at all sir.

*Q.* Do you deny that?

*A.* I positively deny that.

*Q.* And my saying to you that I had no proposition to make to you?

*A.* No sir, that did not occur, but you soon ascertained the second day that I was not going to allow any further conversation on that line.

*Q.* Then, do you remember, after my declining to see you again about this offer, or treating with you on your leaving for the session or resigning your seat, our shaking hands and parting?

*A.* I do not remember anything of the kind about your declining anything of the kind. It is every word untrue.

*Q.* You say you did not say to me that you were open for any proposition as to your leaving for the balance of the session—that you had no love for the Government at all, that you would like to see them defeated?

*A.* I did state the evening before that I strongly meditated going home for the balance of the session.

*Q.* You did not say that on the second occasion?

*A.* Not on the second occasion.

*Q.* You are aware that Mr. Nairn had the promise of this Shrievalty, are you not?

*A.* I was not; I do not think he ever had it.

*Q.* Sheriff Monro died a few days after that?

*A.* I think it was nearly a month; yes, you are right, it was less than a month; it was within two weeks any way, probably sooner; but I have nothing to fix it in my memory.

*Q.* Who got the appointment of sheriff?

*A.* Mr. Donald Brown.

*Q.* He was always a supporter of yours, was he not?

*A.* Always.

*Q.* Always remained staunch and true when others left you?

*A.* He was always staunch and true to the Reform party.

*Q.* How many other applications were there?

*A.* I don't know.

*Q.* Did Mr. Black, of Doton apply?

*A.* Yes.

*Q.* Did Mr. McLean, of Cranen?

*A.* I do not know.

*Q.* Didn't he come here to see about it?

*A.* He was down here, but I do not know that he was to see about it.

The CHAIRMAN.—I would like to know what this has to do with the subject of the enquiry.

Mr. MEEK.—I propose to test the credibility of the witness. There will be a direct conflict of testimony between Dr. Cascaden and myself.



The CHAIRMAN.—There must be some limit to the examination. I do not see what the fact of all these parties coming down here has to do with the enquiry.

Mr. MEEK.—That is preliminary.

The CHAIRMAN.—But give us the material question at once.

Mr. MEEK.—I will do so. (To the witness.)—Didn't you bring these men here for the purpose of competing for the Shrievalty of Elgin, and didn't you get \$1,000 from one of them for that office?

A. I heard it was \$2,000.

Q. Didn't you get \$1,000?

A. I never brought any man here to compete for the office; I forbade them coming, as I thought their visit would be useless, and I have pleasure in declaring that I never was offered or received the value of a farthing.

Q. Did Mr. McGugan, of Caradoc, come here?

A. No; I never saw him.

Q. Didn't Mr. Boston?

A. Mr. Boston was here; I met him the night either before or after the decision.

Q. Didn't he see you?

A. He was here with his sister-in-law on a visit to Mr. Ross, and he never said a word to me about it.

Q. Didn't Mr. Black apply to you for your influence?

A. I introduced both him and Mr. Brown to the Attorney-General together as applicants for the position.

Q. The man I mean as Mr. Boston is Mr. Boston of Lobo.

A. Mr. Robert Boston; I know the man; yes, I heard about the \$2,000 business shortly after the session broke up.

Q. Are you aware that Mr. Black said you were paid \$2,000.

A. I do not think he ever said so. As a matter of curiosity, I heard Mr. Black say that he would give some thousands to Mr. Brown if he would make way for him, and I said, "Mr. Black, don't you say anything about that, or it will close your business."

By Mr. CASWELL.—You mentioned about meeting Mr. Kirkland in the passage of the Rossin House. Was it on the morning of the 17th?

A. No, in the afternoon, between three and six o'clock

Q. You were walking from the elevator?

A. Yes, towards our respective rooms.

Q. And he asked for an interview?

A. Yes, an interview later on.

Q. And what was your answer?

A. Tacitly consented.

Q. You did not have the interview ?

A. No, nor make the appointment.

Q. What was said about the interview ?

A. He suggested an interview later on in the day, to which I assented

Q. You spoke about the withdrawing of a petition ?

A. Quite so. He said I was interested in Mr. Lyon's success, as he understood I had been in Algoma, and by my assisting in changing the land policy of the Government, he was in a position to have it withdrawn, that there were three or four on the Liberal side of the House who were willing to go in for a change of Government, and speaking as if it was to be managed by Lyon. There was so little said that I did not apprehend it clearly.

Q. That the Government was to be changed by Mr. Lyon ?

A. No, that the change in the land policy would be initiated by Mr. Lyon, and that he had three or four to support it, and he was in a position to assure me that if we carried it, that the protest against Mr. Lyon would be withdrawn, and that it would be \$3,000 or \$4,000 saved to Mr. Lyon.

Q. Did he speak as if he could arrange it ?

A. Yes.

Q. How could he do it ?

A. I did not ask for an explanation ; I was surprised.

Q. Have you accepted any bribe from any person in connection with this matter ?

A. I have great pleasure in declaring that I have not

Q. Have you offered any bribe ?

A. No sir, I have pleasure in stating that I have offered no bribe.

Mr. MEEK.—Q. You say the evidence given by you and signed by you in the Police Court is correct—it was read over to you ?

A. It was read over to me, and so far as I was able to take it in in a hasty reading over, it is correct.

Q. It was read by Mr. Denison to you and signed by you ?

A. Yes.

The CHAIRMAN.—I do not know what the object of this is.

Mr. MEEK.—I intend to show to what extent the witness is credible.

Mr. BLAKE.—Q. As to that statement about the conversation being confidential, at what period was it that that request was made ?

A. It was very early in the first conversation, just after the first preliminaries regarding health, families, and so on.

Q. Had you any idea that it was a matter of this kind that was to be discussed ?

A. I had not.

Q. As soon as you heard that did it cease to be binding ?

A. As soon as I heard that, I determined that it would not be binding.

*Q.* Were you aware that the places in the North-West were in the gift of the Dominion?

*A.* I understood they were.

*Q.* Were you aware the Local Government could not give you a place in the gift of the Dominion?

*A.* I was aware of the relations of the Conservative party with the Dominion Government.

*Q.* Who was it first spoke about those places in the North-West; was it you or Mr. Meek?

*A.* It was Mr. Meek.

THOMAS GOLDIE, called by Mr. Blake, and sworn :

*Q.* You reside in Guelph?

*A.* Yes, sir.

*Q.* What is your occupation?

*A.* I am a miller.

*Q.* When did you first become acquainted with Mr. Wilkinson?

*A.* It was the first Saturday in February.

*Q.* You have stated that that was the second of February.

*A.* I think it was.

*Q.* What is the Christian name of Mr. Wilkinson?

*A.* I do not know, sir—J. A. Wilkinson.

*Q.* Any other name ever attached to him?

*A.* Big Push.

*Q.* I merely asked that because that was the Christian name you gave him, if it can be called a Christian name, in your evidence before. Under what circumstances was it you were introduced to Mr. Wilkinson?

*A.* He introduced himself to me on the street in Guelph.

*Q.* And what was the subject of your conversation?

*A.* It was the question of a Coalition Government. We turned to that afterwards. After preliminary remarks, he began talking about the chances of defeating the Mowat Government.

*Q.* Did he say whether there were chances or not of defeating the Government?

*A.* Yes.

*Q.* What did he say as to the chances?

*A.* He did not give me further information: he did not open himself very freely to me.

*Q.* But there were chances of defeating the Mowat Government?

*A.* Yes, I understood there were a great many dissatisfied: it would not be a party defeat, but a coalition defeat.

Q. Where was it in Guelph you had your conference with him?

A. It was in the office of Mr. Bell, at the organ factory.

Q. Was your conversation entirely about that, or were there other matters?

A. I do not think I was with him more than ten or fifteen minutes; it was about others matters first, and then turned into this political matter.

Q. How did he introduce himself to you?

A. I was passing, and he asked if I was Mr. Goldie. I said yes; it was about half past four, and I was going to the train to mail some letters; he seemed to know me and asked for some private conversation, and I suggested to come on here to Mr. Bell's office; that was right in front of the door.

Q. You had conversation on matters of little or no importance, and then he said there were chances of defeating the Mowat Government and forming a coalition?

A. Yes sir.

Q. Did he mention the name of any person who was working with him?

A. No sir, he did not.

Q. In your examination before, do you recollect that you mentioned the name of Mr. Bunting?

A. Yes, in a letter I had written afterwards, I mentioned Mr. Bunting. In the course of the conversation Bunting's name may have come up, but he did not say whether he was in with him or not.

Q. Was Mr. Bell present?

A. He came in just when the interview was about completed.

Q. Did Mr. Wilkinson say to whom you could give your answer?

A. He said to himself. I stated in my examination at the Parliament Buildings that he said I could give the answer to Mr. Bunting; but I was excited at the time, and I recollected afterwards that he said I could give it to himself.

Q. You think now that is not correct?

A. I remember distinctly after my examination that I stated publicly that that was not correct, and that the answer was to be given here to Mr. Wilkinson.

Q. You are not, I believe, yourself a supporter of the Mowat Administration?

A. No sir, I am opposed to the Mowat Government.

Q. You say that with a smile?

A. Well, I am proud of it.

Q. Did he say anything about persons being dissatisfied with the Mowat administration?

A. Yes sir.

Q. And did he state that somebody had come up to Guelph to make enquiries?

A. I cannot recollect that.

Q. About whom, then, was it that he wanted to make enquiries of you?

A. The member, Mr. Laidlaw.

Q. He is the member for your riding ?

A. Yes sir.

Q. You could not beat him ?

A. We tried hard but could not.

Q. What did he propose to you ?

A. He gave me to understand that Mr. Laidlaw was a man who was rather dissatisfied with his party, and that in case a coalition Government was formed he was given to understand that he was a man who would come over. He wished me to see Mr. Laidlaw, and ascertain what Mr. Laidlaw's political feelings were.

Q. What did you say to that ?

A. Well, I did not agree to see him.

Q. Did you tell him so ?

A. Well, I demurred. He wished me to see him that night.

Q. And if you could not see him that night ?

A. To see him on Sunday, and if not then, to see him before he came down.

Q. He was returning home from Saturday to Monday ?

A. I presume so.

Q. Is your previous examination correct on that point, that he pressed you very hard to see him on Sunday ?

A. Yes sir.

Q. And you did not see him ?

A. No.

Q. Had you any message to give to Mr. Laidlaw ?

A. I had no message. I was to sound Mr. Laidlaw to see what his feelings were, to see whether he was prepared to leave his party, and report to Mr. Wilkinson the result

Q. Did you do that ?

A. I saw Mr. Laidlaw on Monday morning, at half-past eight.

Q. And had you some conversation with him ?

A. Yes sir.

Q. And what conclusion did you arrive at ?

A. I never broached the subject at all ; our conversation was merely on local matters ; on any thing but politics.

Q. Why was it you did not fulfil the task laid upon you by Mr. Wilkinson ?

A. One thing was Mr. Laidlaw was a man who I thought would not be guilty of it, and I did not care in my own mind to take hold of any such thing.

Q. Did you think he was a likely man to be influenced ?

A. No.



Q. So that from your knowledge, and your not wishing to be mixed up in that kind of thing, you never mentioned it at all?

A. No sir.

Q. Did you inform Mr. Wilkinson of the result of this interview?

A. I informed him, but not the result of the interview.

Q. Did you write to him in pursuance of the promise you had made?

A. Yes sir.

Q. Is that the letter you wrote (shewing)?

A. Yes sir.

Q. (Reading): "Guelph, 4th February, 1884. J. A. Wilkinson, Esq. Dear Sir,—Failed seeing party until this morning. Firm believer in N. P., otherwise in accordance with his party. I have appointed Tuesday night to see him in Toronto. Not favourable. Would not promise. Seems to me would like to see division on Address. Is aware Mowat not so strong as he was. I do not know what to say, but think not unfavourable. Would like to see both you and Bunting on Tuesday before seeing him. Yours truly." And then you do not seem to have signed it?

A. No sir.

Q. That was written on the Monday morning?

A. Yes sir.

Q. "Firm believer in N. P." There was that little glimmer of light?

A. He was not opposed to it.

Q. "I have appointed Tuesday night to see him in Toronto," Had you made that appointment?

A. No sir.

Q. "Not unfavourable; would not promise." That is just a little piece of poetry?

A. I just put it there.

Q. "Seems to me would like to see division on the Address." This was through your own spectacles?

A. Yes sir.

Q. So that none of this is correct?

A. No sir.

Q. And that was just to give an answer in accordance with the promise to Mr. Wilkinson?

A. Yes.

By the CHAIRMAN.—The letter does not represent what took place between you and Mr. Laidlaw?

A. No sir.

Q. You just wrote it because you had to write something?

A. Yes.

Mr. BLAKE.—Q. Did you come down to Toronto?

A. I came on Tuesday night.

Q. Where did you stay?

A. I stayed at the Queen's Hotel.

Q. Did you see Mr. Wilkinson on that night?

A. Yes sir.

Q. Had you any conversation with him upon the subject of your letter?

A. Yes sir.

Q. What did you say to him?

A. Well, I tried to discourage it; in fact, I gave him to understand that I did not want to have anything to do with it at all; I did not think Mr. Laidlaw was a man of that kind.

Q. Before you came to that conclusion, had you any further conversation with Mr. Wilkinson as to his plans and the probabilities of his success, and his modes of carrying that out; that is, at this interview at the Queen's Hotel or the next day?

A. I met Mr. Wilkinson on the street, and I went to his room at the Walker House with him, and we stayed there ten or fifteen minutes and left; he did broach a little more to me then, and talked about Coalition Government, and gave me the name of Mr. McKim as a man who had changed his political opinions, and he said there were others who were willing.

Q. Did he mention others by name, or suggest generally that there were others?

A. Generally.

Q. That would then be on the 6th?

A. 5th—the night of the 5th.

Q. Monday was the 4th

A. Well, Tuesday.

Q. Then did he indicate to you by what means the coalition was to be formed and the Government defeated?

A. Well, some were dissatisfied, and they would take in three of the Opposition to form a Cabinet.

Q. By what means were they to get the persons to change their views and vote against, instead of in favor of, the Government?

A. I inferred that he would use unfair means in the case.

Q. Corrupt means?

A. Yes, I inferred that.

Q. You also indicated what the corrupt means were

A. I don't think so, except he talked once about offices, but I inferred from his conversation that it was money.

Q. Did he indicate to you that he expected to use money?

A. Well, I inferred that.

*Q.* He spoke to you about Mr. McKim, naming him ?

*A.* Yes.

*Q.* He spoke about other persons, without naming them, that could be gotten ?

*A.* Yes.

*Q.* About how many did he say ?

*A.* Well, I understood it that it would be five or six.

*Q.* That could be thus influenced ?

*A.* Yes.

*Q.* He stated something about offices ?

*A.* Yes.

*Q.* Did he say what class of offices or where ?

*A.* No. Offices in the North-West ; he only told me about one office.

*Q.* Did he say who was going to get that office in the North-West ?

*A.* No.

*Q.* He simply referred to them in a general way ?

*A.* In a general way.

*Q.* As one means of procuring this reversal of the Government ?

*A.* Yes.

*Q.* What did he say about money ?

*A.* He led me more to infer ; I cannot remember—and I have tried to remember—very much about that, but I inferred it was money, from his conversation.

*Q.* You cannot say now any word or sentence or in what connection it was from which you came to that conclusion ?

*A.* No ; he seemed to be very courtly about keeping information away from me, but he led me to believe from his conversation that it was money ; I inferred that from the conversation, that is in one instance.

*Q.* That in that one instance money was being used ?

*A.* Well, I inferred it in only one instance ; in others I thought it would be office, and in others power.

*Q.* You put that in the plural in your examination at the Police Court : "Was anything said about offices in the North-West ?

*A.* "Yes ; that was at the interview at the Walker House.

*Q.* "Who spoke of that ?

*A.* "Mr. Wilkinson.

*Q.* "What was it he said ?

*A.* "He did not specify ; he said offices in the North-West would take a good many men."

*Q.* Now what would your recollection be ?

*A.* To the best of my recollection it was to that effect.

Q. Then on that Tuesday evening did you see anybody but Mr. Wilkinson?

A. I saw Mr. Bunting in the Queen's Hotel.

Q. How long did you remain at the Walker House?

A. Ten or fifteen minutes.

Q. Then did you immediately leave and go to the Queen's?

A. No; I may have gone to the Queen's; then I went up to the House; I understood there was to be a vote, and I waited, and I intended to go on the midnight train, but the vote did not take place till about two o'clock in the morning, and I missed my train.

Q. About what hour that evening did you leave the Walker House to go up to the House of Parliament?

A. About half-past nine o'clock.

Q. Then up at the House did you see Mr. Bunting, or had you a conversation with any one there in reference to the matter which Mr. Wilkinson had been speaking to you about?

A. No.

Q. You are clear about that?

A. I think so.

Q. Then what hour did you return to the Queen's?

A. About two o'clock in the morning.

Q. Where did you see Mr. Bunting?

A. I happened to meet him in the Queen's accidentally.

Q. At two o'clock in the morning?

A. No.

Q. When was it you saw Mr. Bunting?

A. I am mixing two nights; this night I did, on the Tuesday.

Q. You came down on the Tuesday?

A. No; that was not the time I saw Mr. Bunting; I saw him afterwards; I did not see him that night.

Q. You came down on Tuesday according to your promise to Wilkinson, and you saw him?

A. Yes.

Q. And you had a conversation with Mr. Wilkinson on that occasion; you had no talk with any person as to that matter which Mr. Wilkinson had been speaking to you about; that is correct is it?

A. Yes.

Q. Then when did you go home?

A. The next day at two o'clock.

Q. Then who did you see on the next day, Wednesday, 6th February, with whom you had any talk at all about the matter that Mr. Wilkinson had been speaking to you about?

A. I saw Mr. Bunting.

Q. When and where?

A. At his office, in the morning.

Q. That is, at the *Mail* office?

A. Yes.

Q. At about what hour?

A. Probably ten o'clock ; half-past ten.

Q. Had you any appointment with him?

A. No, sir.

Q. Did you know him?

A. Oh, yes.

Q. You knew him quite well?

A. Yes.

Q. You knew him as being an earnest politician, the manager and part proprietor of the *Mail*, and so on?

A. Yes.

Q. Then what was your interview with Mr. Bunting ; had you said anything to Mr. Wilkinson about it in the evening before?

A. I don't remember saying anything to him about it ; yes, I told him I was going to see Mr. Bunting before I left the city.

Q. Then you had given Mr. Wilkinson to understand that there was no use trying to influence Mr. Laidlaw ; that the thing could not be done?

A. Yes, sir.

Q. That that must be given up ; that he could not be one of those that could be gotten over to support the Opposition?

A. Yes.

Q. That, you had given him to understand?

A. Yes.

Q. Then you said that you would see Mr. Bunting?

A. Yes.

Q. Was it at your suggestion or at the request of Mr. Wilkinson?

A. I think it was my own ; I can remember my own opinion, my own desire.

Q. Was it about this matter?

A. Yes ; one thing I wanted to see him about that, and another thing about another matter.



Q. Then you did go and see him about half-past ten on the Tuesday morning?

A. Wednesday morning.

Q. What did you then say?

A. We talked in general terms.

Q. Did you speak about Mr. Wilkinson?

A. Yes.

Q. What did you tell him about Mr. Wilkinson?

A. I had only seen Mr. Wilkinson on the Saturday before, and I did not like his proposition, and I did not care for his reputation.

Q. You had seen him on the Tuesday?

A. On the Tuesday; I only first saw him on the Saturday night before; I did not care for him and did not want to have anything to do with him; I told Mr. Bunting that.

Q. Was it before you told him that that you told him what Wilkinson came up to help about?

A. I don't know whether I told him before or afterwards.

Q. You did tell him in this conversation?

A. I did, I talked freely about it.

Q. And what passed between Mr. Wilkinson and you, was that or was it not told to Mr. Bunting?

A. Yes.

Q. And you told him that you did not like the office of go-between; you did not care for Mr. Wilkinson's reputation; and what did Mr. Bunting say about Mr. Laidlaw in the matter?

A. He spoke in the highest terms of Mr. Laidlaw; said it was all nonsense for me to go and see a man like Mr. Laidlaw.

Q. That it would be impossible to move him?

A. He believed so; he advised me to stay at home.

Q. Had you some further conversation with Mr. Bunting, did he express any view upon the probability of the five or six people working in the way that Mr. Wilkinson had indicated. You had mentioned that to him, what did he say upon that?

A. He had no idea; the vote the night before had overwhelmed him, and he had no idea of it; those are not his words.

Q. Give the words?

A. I could not; he said it was no use.

Q. Did he consider himself overwhelmed?

A. Well he felt indignant; there was one vote he expected to get that he did not get, that was Mr. Hart; he expected him to vote on one side, and he voted on the other; he felt disappointed in the vote of Mr. Hart.

Q. Was there anybody else that he was put out about?

A. No.

Q. Nobody else that he mentioned ?

A. No, sir.

Q. What did he say about these endeavors that were being made by Mr. Wilkinson

A. Oh, he didn't talk about them.

Q. When you mentioned it ?

A. To myself he discouraged them.

Q. That was with Mr. Laidlaw ?

A. Yes.

Q. When you told him that Mr. Wilkinson had been up and Mr. Wilkinson had expected they would be able to get Mr. McKim and five or six others, what did Mr. Bunting say to that ?

A. I couldn't remember, but the general tenor of conversation was disapproval of anything of the kind.

Q. Could you give the language ?

A. I never expected to be called upon, and I never noted it ; he first spoke about Mr. Laidlaw, and then he expressed his disapproval of any such action of Mr. Wilkinson's ; I remember that.

Q. What was it that you had mentioned that was something that he had to disapprove of on the part of Mr. Wilkinson ?

A. Any such business as that.

Q. What specially was it ?

A. Well, trying to—he did not seem to have any confidence in Mr. Wilkinson's operations.

Q. Had you known Mr. Wilkinson some time before that without knowing him personally ?

A. By repute.

Q. Then Mr. Bunting seemed to have about the same opinion of him that you had

A. Exactly.

The CHAIRMAN.—Q. I understand that Bunting's general tone was disapproval of Wilkinson's proceedings in regard to the voting of members by corrupt means ; is that it ?

A. Yes.

Mr. BLAKE.—Q. Did it go beyond Laidlaw, and did it go beyond Wilkinson being used for that purpose ?

A. I couldn't remember.

Q. But you do remember that he said it was useless trying Mr. Laidlaw because of his character, and that so far as Wilkinson was concerned that he was a person—what were the words used ?

A. I couldn't remember the words, but there was a general lack of confidence in the man.

Q. He was a good deal chagrined at the vote of the evening previous ?

A. Naturally, yes.

Q. And he was disappointed and down-hearted about it?

A. He was not down-hearted, but he was rather surprised.

Q. Did he expect that there would have been a defeat of the Government?

A. No, I did not think that; he thought that it would have been a closer vote, I judged.

Q. Did he mention how close?

A. No sir.

Q. Then did you see Mr. Wilkinson again?

A. I saw him that morning.

Q. That Wednesday morning?

A. Yes; I took dinner with him in the Walker House.

Q. Did anything pass between you and him?

A. Nothing about this at all.

Q. Not a word said at all?

A. There may have been a word, but I dropped the whole matter as far as Mr. Wilkinson and myself were concerned.

Q. You never saw Mr. Kirkland?

A. Never, except in the Police Court.

Q. You stated that you were confusing two occasions, and that you had seen Mr. Bunting, you told me first, at the Queen's in the night; what occasion was that that you were confusing with this visit to the *Mail*?

A. The time of this, what they call conspiracy, was different; I noticed my letter was read here, published in the paper at home that afternoon, I came immediately down to Toronto and left home at nine o'clock and got here a little after eleven.

Q. What day was that?

A. It was on a Wednesday, in March; I think the arrest was made on Monday, and this was on Wednesday, and I accidentally met Mr. Bunting with some gentlemen in the Queen's.

Q. It was nothing more than an accidental meeting?

A. Accidental.

Q. Was that the only conversation you have had with Mr. Bunting in regard to any of these matters?

A. Yes that is all.

Q. You are quite sure?

A. Well, of course in the police court.

Q. On the occasion that you met him in the police court and on this occasion that you met him in the *Mail* office?

A. Yes.

*Q.* You had not spoken to him before in regard to any of these matters I have been speaking to you about?

*A.* No sir.

*Q.* These are the only occasions on which you had met him?

*A.* Yes.

By Mr. CASWELL.—*Q.* You know Mr. McKim, the member for West Wellington?

*A.* Yes.

*Q.* What is his character, in the locality where he lives, for veracity?

*A.* Am I bound to answer that question?

*Q.* Yes, we expect you to; you are a man living in his neighbourhood; we would like to know from you what your opinion of his character is as to veracity?

*A.* I have heard a great deal against it.

Mr. BLAKE.—That is not the way to ask the question; does he know his character for veracity in the neighborhood, and then the question that follows.

WITNESS.—I have always found him right myself; right enough that way.

The CHAIRMAN.—*Q.* The question is, do you know his character for veracity in the neighborhood—the general character?

*A.* No, not in his own neighborhood where he lives—I don't; only in my own town, which is not in the same riding.

*Q.* How far do you live from him?

*A.* Thirty miles, I expect.

Mr. CASWELL.—*Q.* Is he not well known in the county?

*A.* Oh, very well.

*Q.* Would you consider that you knew anything about his character for veracity?

*A.* Nothing, only from report.

*Q.* What is the general report as to his character for veracity?

Mr. BLAKE.—That is not the question at all; the question is, from that general character would you believe him upon oath or not.

The CHAIRMAN.—Not what is his general reputation, but would you from his general reputation believe him upon oath, and first, if he knows his character for veracity in the neighborhood.

Mr. BLAKE.—First, is there in the neighborhood in which he lives that character, and Mr. Goldie answers that he lives thirty miles from him.

WITNESS.—I have not been in his own immediate neighborhood.

The CHAIRMAN.—He does not know what his reputation is in the neighborhood where he resides; he knows what it is in Guelph.

Mr. CASWELL.—It is in the same County.

The CHAIRMAN.—That does not matter.

Mr. CASWELL.—Q. You know Mr. McKim—you will admit that ?

A. Yes.

Q. And now then with the knowledge that you will have of him——

Mr. BLAKE.—I submit that we must proceed in this matter regularly.

The CHAIRMAN.—Pursue the regular course, Mr. Caswell.

Mr. CASWELL.—If your lordship will put the question it will answer my purpose.

Mr. BLAKE.—He has just told you that he cannot give you the answer.

The CHAIRMAN.—He has told you that he does not know his character for veracity in his own neighborhood ; if he does not know it you cannot ask him.

Mr. CASWELL.—Your lordship will note, his own immediate neighborhood.

The CHAIRMAN.—He says he did not know it, except as to Guelph, and that is thirty miles away from his neighborhood. I do not think that is sufficient acquaintance with the character for veracity to justify putting the other question.

Mr. CASWELL.—No, my lord. I understood that he knew him quite well and knew his reputation in that neighborhood.

Mr. MEEK.—I desire Mr. Goldie to answer that question if your lordship will put it and allow it to be answered.

The CHAIRMAN.—I think that will not do.

Commission adjourned at 4.25 p.m. till 10 a.m. to-morrow.

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### THIRD DAY.

WEDNESDAY, JULY 16TH, 1884.

Commission resumed at 10 a.m. ; all parties present.

Mr. BLAKE asks that Mr. John Shields, Thomas A. Keefer, and Thomas Marks be called on their subpoenas.

The CHAIRMAN.—These witnesses can be called on their subpoenas.

Mr. MEEK asked that he may be allowed to subpoena without mentioning the names of the witnesses whom he may wish to call. There are reasons for it. It may be suggesting to some men who do not care about appearing and giving evidence, and it will be difficult to subpoena them ; it may be impossible to get them.

The CHAIRMAN.—I suppose you can take a subpoena in blank, but witnesses cannot be examined without your giving the necessary notice as required by the directions at first. After you have them subpoenaed you must give notice of the names.



Mr. MEEK.—As soon as I have served the witnesses I will give notice to the other side.

The CHAIRMAN.—Two days' notice must be left with the clerk.

Mr. MEEK.—Of course I shall endeavor to give the two days' notice if the enquiry continues that long.

The CHAIRMAN.—There must be some limits as to the persons whom you are going to subpoena, to know in what direction the evidence is required.

Mr. MEEK.—I intend to subpoena some witnesses on the question of credibility, and I do not wish to have the names disclosed at present, because as a usual thing men do not like to be called on a question of that kind.

Mr. BLAKE.—I would just suggest to the Commissioners this, that if there is anything above another in which it is proper that the names should be given, it is in regard to that, and of course your Lordships have the report of the case of *Waterhouse v. Lee*, in which the late Chancellor and the late Chief Justice of the Court of Appeal discredited the witnesses upon the statement of three persons that were examined, and upon a further presentation of the case before him it was found that one and the same person had gone round, and spread the report, and that it was all initiated in a malicious feeling towards him ; so that if there is a case in which it is reasonable that we should know who are going to accuse us, and that the names should be given so that we may investigate and find who they are, it is in the discrediting of witnesses.

The CHAIRMAN.—I think so, because the prosecution would have the right to discredit your witnesses, no doubt.

Mr. MEEK.—They can cross-examine on that ; of course I shall give the names as soon as I subpoena them.

The CHAIRMAN.—They will have to be given two days before they are examined.

Mr. BLAKE.—The two days' notice—let us understand that ; it is little enough time for us to make investigations.

Mr. MEEK.—Suppose I issue a subpoena to-day and send it out to be served, it may be a day or two before I can serve these parties. I will give the names immediately upon their being served.

The CHAIRMAN.—We must confine ourselves to the directions we gave originally,—that if any other witness except those originally named are to be examined, two days' notice must be given ; you must subpoena them for the next week.

Mr. CASWELL.—There are some parties that have already been subpoenaed, and I notice that the subpoenas are not *duces tecum*, and there are some documents we would like to have produced ; for instance, the Commissioner of Crown Lands has a petition that is referred to in the evidence as having come from Port Arthur ; I would like that to be produced.

The CHAIRMAN.—Take your subpoenas *duces tecum* in the usual way ; it is quite easy to put in a *duces tecum* clause.

Mr. CASWELL.—They have already been subpoenaed, that is the trouble ; I do not want to subpoena them over again.

Mr. BLAKE.—It will do no harm.

The Sheriff calls Thomas A. Keefer, Thomas Marks, John Shields, on their subpoenas. No one answered.

Mr. BLAKE.—I told your Lordship that I anticipated examining Dr. Dowling. We had several telegrams from him. We understood that he was to be here yesterday morning, but he had a very special case which he said he could not possibly leave, so that in the meantime I will call some other witnesses.

Mr. BLAKE then called William P. Hudson, who took the stand.

Mr. BLAKE.—There were subpoenaed a large number of members, not knowing whether the Commissioners would desire themselves to investigate—not knowing whether those that represented the respondents would desire to examine. There are some of them that I believe are desirous of not remaining longer. Mr. Hudson is one of the Conservative members of the House. I proposed to present him and two or three others for examination in case the Commissioners thought that there was something possibly that might be adduced in the shape of evidence that would be material, from them as well as from those that have already been examined.

The CHAIRMAN.—Well, after hearing one or two of those members we will be able to settle that.

WILLIAM P. HUDSON, sworn, examined by Mr. Blake :

Q. You were a member of the Legislative Assembly of Ontario ?

A. Yes.

Q. What County did you represent ?

A. County of Hastings, West Riding of Hastings.

Q. Was this the first time of your being elected ?

A. This is the first Session.

Q. Before that, I believe you had to do with municipal matters in your county, to a considerable extent ?

A. Yes.

Q. Were you present at the opening of the Session last January ?

A. Yes.

Q. Did you continue on from the opening to the close ?

A. I did with the exception of once in a while—a Saturday that I would go home.

Q. Do you recollect about what date the first caucus of your party was held ; the House met on January 23rd ; the first vote was on February 6th ?

A. I could not recollect the date exactly.

Q. When you were here did you attend to your duties pretty constantly ?

A. I did.

Q. You attended various meetings that were held ?

A. I was only at two of them, I think, during all the Session.

Q. Did you get notice of others ?

A. I got notice of one but I had to go away.

Q. And then you had notice of two others of which you did attend ?

A. Yes.

Q. Do you recollect when those meetings were held that you did attend ?

A. The first one, I think, was—I won't swear to just the time—but I think it was the second or third week the House was in session.

Q. Was there any caucus that you were present at before the first vote that was taken ?

A. No, I was at no caucus before that ; I think it was before the first vote was taken, but I think the second or third week.

Q. It was before the first vote was taken ?

A. Yes.

Q. That is the second or third week of the Session ?

A. Yes, it might have been the second, I could not swear.

Q. It was before the first vote was taken ?

A. I think it was before the first vote was taken.

Q. That was the first vote taken on the address ?

A. The first vote taken on the address.

Q. That was the first vote taken at all ?

A. The first vote taken on the address.

Q. The first division in the House was on February 6th.

A. Yes, the meeting was before that ; of course I took no date of it or no memorandum of it.

Q. Who was the whip of the Opposition ?

A. Mr. Monk.

Q. He is the member for Carleton, is he not ?

A. I think it is Carleton.

Q. Was it he that gave notice of these meetings ?

A. Yes.

Q. When did you first hear anything as to any members being influenced, or weakening in their allegiance to the Government ?

A. The first that I heard, or knew anything about, was when the statement was made on the floor of the House by the Attorney-General.

Q. When had you heard anything about it previous to your absolute knowledge of it

A. Of this conspiracy ?

*Q.* No ; of any rumour of persons being weakening in their allegiance, and the possibilities of their gaining some over to the Opposition, and so on.

*A.* I do not recollect of hearing it any time to my knowledge.

*Q.* You heard nothing about Mr. McKim ?

*A.* Nothing about Mr. McKim.

*Q.* Mr. Badgerow ?

*A.* Nothing about Mr. Badgerow.

*Q.* Mr. Balfour ?

*A.* Nothing about Mr. Balfour.

*Q.* Dr. Cascaden ?

*A.* No.

*Q.* The whole thing was kept from you completely ?

*A.* Yes, I knew nothing about it.

The CHAIRMAN.—The first you heard was on the statement of the Attorney-General ?

*A.* On the floor of the House, on the evening of March 17th.

Mr. BLAKE.—You were not put by the Opposition on any of their committees ?

*A.* No.

*Q.* You had heard no conversation with any member of your party about Mr. McKim or any other member of the Government side possibly being led over to the Opposition ?

*A.* No conversation whatever.

*Q.* And you heard nothing about that ?

*A.* I heard nothing about that ; I swear positively that the first I heard anything about, that is, about this conspiracy —

*Q.* I am not speaking about any conspiracy ; do not let us have any misunderstanding about it ; I am asking as to any member possibly or probably coming over to the Opposition, or being influenced ; any talk about it ; anything that was said to you, or that you said to anybody, or that you overheard—any conversation ?

*A.* I heard nothing, except just talking that they supposed Mr. Hart would vote with the Opposition at times ; that was all.

*Q.* When did you first hear that ?

*A.* It was at the first of the session ; it was a common thing ; his supporters thought he would go with the Opposition.

*Q.* A common thing ?

*A.* Yes, a common thing ; that was before I came here.

*Q.* What I want to get at is, what you heard when you did come here ?

*A.* That was talked of by his supporters in Prince Edward County.

*Q.* When you came here you heard that talk, that he would vote sometimes with the Opposition ?

*A.* I heard that talk ; in fact I said so myself ; in fact I thought so.

Q. To whom did you say that ?

A. Well, I would not be positive, I think it was some members at the Walker House there, some friend—I would not say what member—just in conversation in evenings.

Q. Whom did you generally talk with at the Walker House ?

A. Well, I have talked with them all.

Q. I do not know who was there ; give us their names ?

A. There was Mr. Kerr, Mr. Ross, of Cornwall, Mr. Denison, Mr. Laidlaw, Mr. Graham, Mr. McKim, Mr. Balfour.

Q. These all boarded at the Walker House ?

A. Yes.

Q. And you talked with these, saying that you thought that Mr. Hart would vote with the Opposition ?

A. Yes.

Q. Did you ever speak to Mr. Hart yourself ?

A. I did.

Q. I do not now want you to be speaking of the rumours you may have heard, but since you came up here ?

A. Yes, I think I went to visit him one evening.

Q. Did you hear any conversation about anybody else such as you have mentioned, as to Mr. Hart ?

A. No, I did not, no conversation whatever as to anyone else.

Q. Did you mention at any of these meetings—the two meetings that you were at—the probabilities of Mr. Hart voting with the Opposition ?

A. I stated at the first meeting, I think, that I had a conversation with Mr. Hart. I have never been acquainted with him ; just got acquainted with him as we were in adjoining counties, and it was supposed by his supporters that he would support the Opposition ; and in talking with him—just talking in conversation—I drew this conclusion from the conversation : that he would vote with the Government on most occasions, and I made that statement at the Committee.

Q. At this first meeting ?

A. Yes.

Q. Do you recollect anyone else being talked of, except Mr. Hart, probably or possibly voting with the Opposition ?

A. I have no recollection of any other, except it might be Mr. Sills ; but I won't say that his name was mentioned ; his name might have been mentioned, but I would not swear positively.

Q. He represents the adjoining County to you ?

A. Yes, West Hastings.

Q. Were you present at the whole of that first meeting ?

A. Yes.



Q. Did you at that meeting name or appoint any Committees to carry on the work of the Opposition?

A. I rather think not; I think that the meeting was adjourned to another time.

Q. Were you present at the adjourned meeting?

A. I was present part of the time; I got there late.

Q. Those were the only two meetings at which you were present?

A. Those were the only two.

Q. At the adjourned meeting did they name any Committees?

A. No.

Q. You were present at what part of the adjourned meeting?

A. The latter part.

Q. At which of these meetings was the question of the timber policy of the Opposition brought up—was it brought up at both, or at which?

A. I think it was at the second meeting I was at I think it was mentioned.

Q. What was the distance of time between the first and second meetings?

A. Well, I could not swear to the time.

Q. Could not even give me the month, whether it was February or March?

A. I think it was in February, but I could not swear to the date; I kept no memorandum of the time.

Q. Do you remember anything else that was brought up and discussed except the question of the timber policy?

A. Well, there was no discussion on to it; it was just merely mentioned, that was all.

Q. Can you recollect what was mentioned about it?

A. No, I don't, I don't know as I have any recollection about it.

Q. That is your oath upon that, that you cannot recollect either what was said?

A. I don't recollect positively.

Q. Or who spoke about it?

A. No, I can't recollect who spoke about it. I know the meeting was partly over when I got there.

Q. That is the second meeting?

A. Yes.

Q. The meeting was partly over when you got there, and you cannot say what took place as to the timber, or who spoke about it?

A. No.

Q. You just simply have a recollection that it was spoken of?

A. Yes.

Q. Then at the third meeting you were not present?

A. No.

Q. Where did the first of these meetings take place ?

A. It was in the *Mail* building.

Q. The third you cannot of course tell me about ?

A. No.

Q. Was there, at either of those meetings, anyone present but the members of the House that you were aware of ?

A. Not to my knowledge.

Q. Was there an election protest in your County ?

A. There was.

Q. Was that tried, or was it dropped ?

A. It was dropped.

Q. Were you introduced to Mr. Wilkinson ?

A. I was.

Q. When were you first introduced to him ?

A. Well, I won't swear positively to the time ; it was either coming up the first of the session—the opening of the session—or the two weeks following from that, in coming up from home ; but I think—of course I won't swear positively—when I had an introduction to him for the first time I had never met him.

Q. Who was it that introduced you to him ?

A. I could not swear whether it was Mr. Wood, of North Hastings, or Mr. Blezard ; I know we sat, the three of us, talking together.

Q. Had you any conversation with him other than on that occasion ?

A. No, I never had any conversation any more than I met him in the Walker House at different times and just passed the time of day—nothing more.

Q. Did you know Mr. Bunting ?

A. Not acquainted with him ; I never had an introduction ; I know him by sight, that is all.

Q. Was Mr. Wilkinson in your county ?

A. Not to my knowledge. I never heard of him.

Q. I need not ask you whether you tried to influence anyone yourself ?

A. No, I did not.

HARVEY P. DWIGHT, called by Mr. Blake :

Before taking the oath Mr. Dwight said : I do not exactly understand how I can proceed to take an oath to give evidence that I do not intend to give, as I understand ; that is, swearing to give evidence, and I do not intend to give any.

The CHAIRMAN.—You will have to give evidence if you have any evidence to give.

Mr. BLAKE.—If there is any evidence that you can properly be compelled to give, of course you are bound to give it, and that is all your oath means.

Mr. DWIGHT.—That is the question, what I am compelled to give ; I respectfully decline to give any evidence whatever.

Commissioner SENKLER.—The proper way, I think, is to take the oath, and then object to the questions.

Mr. DWIGHT.—If I can consistently do it with that intention I will do it.

The CHAIRMAN —If Mr. Dwight says he does not intend to give any evidence, no matter what the nature of the questions may be, of course he cannot consistently take the oath ; he will have to run the risk of being proceeded against.

Commissioner SCOTT.—Is it the form of the oath that you object to ?

Mr. DWIGHT.—It is a matter I thought of on coming here ; this oath is swearing to give the truth, the whole truth, and everything I know, I suppose, in connection with this business, and I do not intend to do that ; that is the situation in the matter.

The CHAIRMAN.—Take your own course, Mr. Dwight ; we cannot advise you.

Mr. BLAKE.—The proper way is to take the oath, and then make the objection.

Mr. DWIGHT.—I have not had any advice in this ; it is a matter that occurred to me while coming here.

Mr. BLAKE.—The proper way is to take the oath, and then make whatever objections you have.

Mr. DWIGHT.—Very well. (Witness then kissed the book.)

Mr. BLAKE.—*Q.* You were examined before ?

*A.* Yes.

*Q.* You are general manager of the Great North-Western Telegraph Company ?

*A.* Yes.

*Q.* General manager for the Dominion or for the Province of Ontario ?

*A.* For the Dominion.

*Q.* You were asked to produce certain telegrams before the House and before the police magistrate ?

*A.* Yes ; I think the subpoena called for messages to Mr. Wilkinson and to Mr. Bunting ; I haven't it with me, but I think it does.

*Q.* Have you produced these telegrams ?

*A.* No.

*Q.* Where are the telegrams ?

*A.* They have been destroyed.

*Q.* When did you destroy them ?

*A.* A few weeks ago.

*Q.* What is covered by a few weeks ?

*A.* Well, I can't exactly tell you the time ; it is since these proceedings began ; not these proceedings, but since after the other proceedings terminated.

Q. About how long after the other proceedings terminated did you destroy them ?

A. Oh, pretty soon ; two or three days after ; a week, more or less.

Q. That is after the proceedings in the Police Court ?

A. Yes.

Q. The proceedings were begun there on the 18th March ; from the 18th to the 25th March you may have been examined ; was it in the month of March that you destroyed them ?

A. I fancy it must have been in April ; I fancy it must have been perhaps a week, or possibly two weeks as near as I can guess, perhaps more or less, after that time.

Q. The 20th March was the date that you were examined ?

A. It was after the termination of all those proceedings.

Q. Before the House you were examined on the 20th March ?

A. I don't remember that date.

Q. That is the date here on your evidence ; taking that for granted, about how long after that 20th March was it that you destroyed those telegrams ?

A. The proceedings in the Police Court was subsequent to that, and the destruction of the messages was after the examination in the Police Court.

Q. How long after that examination ?

A. Well, I should say perhaps a couple of weeks.

Q. Will you swear it was as long as two weeks ?

A. I should say it was ; I should swear it was not much difference from two weeks ; not much longer and not much shorter.

Q. The 27th March was the date of the Police Court evidence ; then you think that within two weeks of the 27th March you destroyed all these telegrams ?

A. As near as I can remember ; it was sometime after all these proceedings had terminated.

Q. Then is it according to your practice to destroy the telegrams, or on what dates ?

A. There is no law to prevent our destroying messages the moment they are sent if we choose to do so ; it is a mere matter of our internal arrangement.

Q. Your internal arrangement is to destroy them within six months ?

A. Within six months ; it is not an invariable rule ; it is a rule we vary to suit our own convenience.

Q. That is the ordinary practice of your office ?

A. It is the ordinary practice.

Q. The rule is to preserve them for six months ; you may make an exception if you please ?

A. Yes.

Q. What period of the year is it that you ordinarily do destroy the telegrams, or is there any stated period ?

A. Well, it is not a rule that is very rigidly carried out because we have our own

accounts to settle, and these files are sometimes required longer, and sometimes not so long as the six months ; the usual way to destroy them is every month to destroy the month's messages that are more than six months old.

Q. In this, therefore, you made an exception ?

A. Yes.

Q. Did you make any other exception that you are aware of within this last year ?

A. I think there were more messages called for in the other subpoena than are called for in this, and we destroyed all that were referred to directly or indirectly in connection with this subpoena.

Q. What I am asking you is, did you destroy any telegrams other than those that were referred to in the subpoena before the Police Court or before the Commission ?

A. I have not.

Q. Did you keep any copies of these messages ?

A. No, sir.

Q. Did you destroy them yourself ?

A. Yes, sir.

Q. And you got together all the telegrams referred to, or that bore, you say, in any way, as you thought, upon any of these matters, and you consumed them all ?

A. Yes, I could not tell what the messages bore upon ; I got the addresses and the signatures and destroyed them.

Q. So that you were sure to cover everything of that kind ?

A. I suppose ; I don't know what they covered, I am sure.

Q. You did it pretty thoroughly if you got all the addresses, and all the telegrams to those addresses, and destroyed them all ?

A. I did it as thoroughly as I knew how.

Q. You are a member of the Conservative party, I believe, Mr. Dwight ?

A. No, sir.

Q. Do you not vote Conservative ?

A. No, I don't remember that I ever voted in my life except for alderman or councilman, occasionally ; I may have done so once or twice, but I don't remember, and if I did I don't remember who I voted for ; I have no party connection at all.

Q. You were just doing justice between the two parties in consuming this piece of evidence ?

A. That is what I was trying, to do my duty to the Telegraph Company in protecting messages entrusted to their care for transmission—messages that are supposed to be private, and which we are expected to keep with the strictest privacy.

Q. Were they marked private ?

A. I don't think they were ; we assume that every message is a private message.

Q. Do you know as a matter of fact whether there were any particular marks upon these ?

A. I don't think there were ; there might have been.



Q. Will you swear that there were not?

A. I don't remember that there were any specially marked private.

Q. Will you swear that there were not?

A. To the best of my recollection I think there were none specially marked private.

Q. Will you swear that there were not?

A. Well, I won't swear any more than to the best of my belief that they were not.

Q. Will you swear that there were not?

A. Well, I suppose that is swearing to it, isn't it, as near as I can get at it? That is as near as I can swear to it; I don't think there were any according to the best of my recollection; there were none marked specially private.

ALEXANDER P ROSS, called by Mr. Blake, sworn.

Q. You are a member of the Legislative Assembly?

A. Yes.

Q. For what county?

A. Stormont.

Q. You are a member of the Conservative party, I believe.

A. Yes sir.

Q. Was this your first Session?

A. Yes.

Q. Did you attend during the whole of the Session?

A. Yes sir. I was here every day but one, that is the last.

Q. Did they let you further into the secrets than they let Mr. Hudson?

A. They did not.

Q. You were still in the outer circle, this being your first Session?

A. Yes; I knew nothing about it till the day it came up in the House.

Q. Did you attend the caucuses?

A. I did.

Q. How many did you attend?

A. Three.

Q. Who gave you the notification of these meetings?

A. Well, I just forget the first one, but after that Mr. Monk was the person. I just forget who it was the first one.

Q. Were you present at the whole of these caucuses?

A. Well, I think I was; I wasn't much behind if I was, that I know of.

Q. Could you give us the dates on which they were held?

A. I could not; I think Mr. Hudson was about right on the first.

Q. That was sometime between the meeting of the House and the first vote on the 6th February?

A. Yes sir; the second was some weeks after; I couldn't say exactly what time; I never impressed it on my memory.

Q. You could not give us to two, three, or four weeks?

A. No.

Q. Could you give me the date of the third one?

A. No, I could not.

Q. What was the matter that was discussed at your first caucus?

A. Nothing much that was done only electing, as they called it, the whip—Mr. Monk I believe; that is pretty much all.

Q. He simply was cracking his whip; that is all that he was doing?

A. That is all that I can remember of; there is nothing else that I can remember specially that I know of.

Q. When was it that you first heard anything about any probabilities or possibilities of persons voting against the Government who ordinarily went with them?

A. I don't know that there was much spoken about; they were talking about some parties that they thought would go with them, and some that would not, that I was not acquainted with, that I didn't know anything about it.

Q. You are, of course, going to answer me truthfully Mr. Ross?

A. Yes, as far as I know.

Q. Then without your knowing much about it, when was it you first heard anything said about any probability or possibility of anyone—whether it was Mr. Hart or anybody else?

A. Well, I think there was something spoken about that in the first meeting, and that was about all that I heard of it.

Q. You recollect that it was mentioned with Mr. Hart?

A. Yes, they were talking, thinking who would vote with them and who did not, and that is all I know about it.

Q. Do you know any one that was discussed beside Mr. Hart?

A. I don't know; there was something mentioned about Mr. —; I can't give you his name now; an old gentleman; they thought he was what is called an independent; he sat on the Government side of the House, right behind the Government, up near the wall.

Q. Do you recollect the county that he represented?

A. No I don't either; he is an old elderly gentleman of dark complexion.

Q. Did he represent an eastern or western constituency?

A. West; I can't tell you his name now; if I could see the plan of the House I suppose I could tell it.

Q. The name you have not got just at the present moment?

A. No.

Q. Is your memory pretty good ?

A. Well I may think so ; I don't know what others may think.

Q. This name has slipped from your memory, whether it is good or bad ?

A. Yes, it has ; I think he was the only one that I heard them speak of that they thought was independent.

Q. There was a counting of noses, on the first meeting ?

A. Well, they were counted over, and we talked over how many ; I just forget how many.

Q. Do you recollect how they thought it would stand in that meeting ?

A. I do not ; I can't tell you how that was.

Q. If your memory is so bad and you cannot recollect anything about the meetings, I am afraid they will not make you treasurer in the Coalition Government ?

A. No, I am afraid they won't.

Q. There was a counting of noses ?

A. Well, I rather think there was, but I would not say for certain, I was new in the matter, and I did not impress everything into my mind.

Q. Do you recollect about how it was thought that you would stand at the first meeting ?

A. Well, I think the thing was talked over, but to tell you exactly how many I thought would be each way, I could not tell you.

Q. Tell me about it as nearly as you can ?

A. I couldn't say ; I know it was spoken of ; there were some ten or twelve or something like that, that is, if the Independent would go.

Q. Was that including the Independent ?

A. That was talked over.

Q. The CHAIRMAN.—Q. That is, the Government majority would be ten or twelve ?

A. Yes.

Mr. BLAKE.—Q. If the Independent did not go, how ?

A. With the Opposition.

Q. And if he did go with the Opposition then they would have nine or ten ?

A. I couldn't say for certain.

Q. Was that embracing Hart of the Assembly—Mr. Hart ?

A. Well, he might have been spoken of.

Q. Did those ten or twelve embrace him going for the Opposition or for the Government ?

A. I wouldn't say.

Q. You were not put on any of the Committees of the Opposition ?

A. No sir.

*Q.* Were there at either of those three meetings any committees formed for carrying on the work of the Opposition in the House?

*A.* Well, I don't think there was that I know of; if there was I don't remember.

*Q.* Had you no committees?

*A.* There was nothing left with me that I know of.

*Q.* Surely you had some person that you referred to, or was it all left to the whip?

*A.* If any meetings were to go on, as far as I knew, it was left to him.

*Q.* You don't know of Mr. Ermatinger, or any other member, being a member of any committee to carry out certain matters for the Opposition?

*A.* He might have been, but I don't remember; I could not answer.

*Q.* Is your memory the same as Mr. Hudson's as to the occasion on which there was anything said about the timber policy of the Government?

*A.* I don't remember of a timber policy being brought up?

*Q.* How did you feel yourself about the timber policy of the Government?

*A.* I didn't take any interest in it.

*Q.* Is your memory any better than his upon what was said on the timber policy?

*A.* I don't know anything about it being much talked of, as I know, in the committees.

*Q.* Did you discuss it with any members of the Opposition outside of the committee?

*A.* I did not.

*Q.* You were aware as a matter of fact that it was proposed that there should be a resolution brought in upon the question of the timber policy of the Government?

*A.* Well, I heard of that, and I can't tell you whether that was the first meeting or not.

*Q.* You heard of that, that they were to bring in that resolution, but you can't say whether that was at the committee or whether it was a matter of talk outside the committee?

*A.* I don't know which.

*Q.* Is your memory good enough to tell me from whom it was that you heard that?

*A.* No sir, I don't know; I knew it was spoken of, and I could not tell you where it was spoken of.

*Q.* Did you ever yourself discuss any of these questions with Mr. Meredith or Mr. Morris?

*A.* I did not.

*Q.* And you had not yourself formed any opinion upon the question of the timber policy?

*A.* Oh nothing.

*Q.* Was this matter brought up at either of those subsequent meetings after the first occasion when the noses were counted?

*A.* I think not after that.

Q. Will you swear that that is so?

A. Well, I don't remember if it was.

Q. Can you mention anything that was brought up at the first meeting other than the consideration of what was the relative strength of the Government and of the Opposition in the House?

A. Oh, I think the thing was spoken of, but it was after the first meeting, and after the first vote was taken; it would be about the same things over, as far as I know.

Q. Can you mention at the first meeting anything that was the subject of discussion other than the question of the relative strength of the Government and the Opposition?

A. I could not.

Q. At the subsequent meeting that you held can you tell me anything that happened, except the discussion of the relative strength, and something may have been mentioned about the timber policy; could you mention anything?

A. I could not; I could not give you an explanation of that.

Q. At the third meeting could you say anything that took place?

A. No sir, I could not exactly; I could not tell you anything distinctly that was said; there was a good deal mentioned over, but I could not mention.

Q. Without going into the particulars of it, what were the subjects of discussion?

A. Oh, they were talking of several discussions, of one way or the other; of what was going on; but I don't think, as far as I know, I had any idea of anything coming up that was going to upset the government, as far as I heard.

Q. Can you tell me what were the subjects of discussion?

A. No, I could not.

Q. You could not tell any matter that was brought up and talked of at the meeting?

A. No sir, not to any extent.

Q. Whether to much or to little; just anything that was brought up?

A. Nothing more than what I have said.

Q. Only as to the numbers, and perhaps the question of the timber?

A. Yes.

Q. Did you know Mr. Wilkinson?

A. I did not; never was introduced to him; I never knew him till after I saw him in the Police Court here; that is the first time I knew him to say it was Mr. Wilkinson.

Q. Did you know Mr. Bunting?

A. I knew him by sight.

. He was very frequently at the House the first fortnight or ten days?

A. I saw him several times, I think; I was told it was him.

Q. Several times would be better than two or three?

A. Well, I suppose it was.



Q. And seeing a man there several times taking some interest?

A. Yes, I asked who it was.

Q. Of course you did not approach anybody yourself for the purpose of endeavouring to influence his vote?

A. I did not.

ANDREW BRÖDER, called by Mr. Blake, sworn.

Q. You are a member of the Legislative Assembly of Ontario?

A. Yes, I was elected in January, 1875, and have represented the county of Dundas ever since: I was present at the last session; not at the opening; I was there the second day.

Q. Did you remain all through the session?

A. Yes, with the exception of a day or two when I was absent.

Q. Where you present at any caucus of your party?

A. Yes sir.

Q. You are a member of the Conservative party?

A. Yes.

Q. How many caucuses were you present at?

A. Two,

Q. Where were those held?

A. In the *Mail* building.

Q. About what dates?

A. I cannot fix the date; the first one was, as near as I can recollect, the latter part of the second week in the session.

Q. That would be the one that Mr. Hudson and Mr. Ross have spoken about?

A. Yes, I think it was on the Friday of the second week.

Q. When was the second one?

A. The second one that I attended, and the last of the session, was a day or two after this matter came up in the House; I think it was either the 18th or 19th March.

Q. It came up on the 17th, which was Monday?

A. It was either the following day or the day after; I would not be positive after that.

Q. Those are the two that you were present at?

A. Yes, that is all I remember being present at.

Q. I presume there were a good many other similar meetings of those interested in your party in the Opposition—meetings continually held?

A. There may have been without my knowledge; I have no knowledge of that sort personally.

Q. You never were present?

A. Not during the session, that I can recollect.

Q. I do not mean to say the whole of the members, but half a dozen or a dozen, to discuss the situation?

A. I was not present at any such.

Q. Who called you to these two meetings that you did attend?

A. Mr. Monk gave me notice; he is the Conservative member for Carleton.

Q. What took place at the first meeting?

A. Well, the first meeting was to elect a whip; the whip of the previous Parliament, Mr. Madill, had been defeated, and Mr. Monk having been his assistant during the previous Parliament at times in his absence, Mr. Monk was elected as whip, and Mr. Morgan his assistant; that was the first business of the caucus.

Q. What was the next topic?

A. The matter of getting acquainted with strangers was part of the business.

Q. After that was over, then, I suppose you had the counting of the noses?

A. Well, I don't remember that, although I might have a share in that; I think there was; I do not remember of any exact majority being spoken of in favour of the Government; it was merely a question of whether the men who were considered Independent in the press were going with us or with the other party.

Q. Do you recollect how many of those were supposed to be Independents?

A. I recollect Mr. Hart being spoken of as one; Mr. Neelon, I think, was another.

Q. Was that the one, do you think, that Mr. Ross has spoken of as a grey-haired gentleman?

A. I couldn't say.

Q. Who else?

A. None that I recall.

A. Was your recollection the same, that the majority would be supposed to be ten to twelve unless these Independents went in with the Opposition, when of course it would be reduced?

A. I don't remember the majority being spoken of as to numbers at all.

Q. Do you remember any other names than those of Hart and Neelon?

A. No sir, not spoken of as Independents.

Q. Anybody else as to whom there was a probability or possibility?

A. No.

Q. Do you recollect any other names being mentioned in connection with majorities?

A. No.

Q. At that meeting, were there any committees formed to perform the duties?

A. No, sir; none.

Q. Or at the second?

A. Well, I did not attend the second.

Q. The second you did attend?

A. No, it was the last of the Session; the last day or two.

Q. Is your recollection the same as Mr. Hudson's, that the first meeting was adjourned over?

A. No, I don't remember of its being adjourned.

Q. Do you recollect anything else that was done except the appointing of whips, this discussion as to these Independents, and becoming acquainted with one another?

A. Yes, the question was talked of as to whether it would be wise to discuss the Address at length, or allow it to pass without discussion, or to move amendments?

Q. Was anything said about any portion of the Address that was considered to be vulnerable or that might be attacked?

A. I think there was; I can swear positively there was; I can remember.

Q. What was that?

A. Referring, I think, to the liquor license question was one.

Q. That was put I think, in the shape of an amendment?

A. Yes, I think it was afterwards.

Q. That was a question involving the question of the jurisdiction between Ottawa and Ontario Legislatures?

A. Yes, to some extent.

Q. Mr. Gillmor read that to us the other day?

A. I am swearing altogether from memory as I have not looked at it.

Q. That was one of the questions in which you had your vote of forty-five to thirty-three?

A. Yes.

Q. Was there any other matter discussed than that, that you recollect?

A. I think the long-standing Boundary Award question was mentioned.

Q. Was that put in the shape of something upon the Address?

A. I think not, farther than in general terms that it was a mistake to have so much conflict between the two Governments,—it should be avoided, if some means could be adopted to avoid that.

Q. Anything else?

A. No, not that I remember.

Q. Nothing said at that first meeting with regard to the question of the timber policy?

A. No

Q. Will you swear to that, your memory is so good?

A. I think I can.

*Q.* If that was mentioned at either of the first two meetings, it must have been at the second meeting at which you were not present?

*A.* Yes; you did not understand me to say there were but two caucuses altogether?

*Q.* Two that you were present at?

*A.* Yes, that is right.

*Q.* Three, I understood?

*A.* Yes, one I was not present at.

*Q.* When did you hear any question about the probability or possibility of any members voting against the Government who had voted with them?

*A.* I think the first news I had of it at all, of any attempt of that sort of thing, was that the Honourable Mr. Hardy insinuated it in the House when addressing the House.

*Q.* About what date was that?

*A.* In the fore part of the Session, I think, as near as I can recollect, the third week; I would not be positive as to the time.

The CHAIRMAN.—*Q.* What did you hear from him?

*A.* He threw out an insinuation.

*Q.* That attempts had been made?

*A.* Yes, to influence.

Mr. BLAKE.—Did you make any enquiry upon that?

*A.* No, sir.

*Q.* Then did you think it wise or unwise to enquire?

*A.* I thought so little of what the Hon. Minister said about that that I did not enquire.

*Q.* Being a Reformer you naturally distrusted him?

*A.* No, not that.

*Q.* What then?

*A.* I thought he was frightened before he was hurt.

*Q.* You do not like that sort of men?

*A.* I do not like that sort of men.

*Q.* When did you think he was crying so much too soon?

*A.* Well, sir, I haven't thought much different since; the next we heard of it, and all I heard until the thing became public, was what the Attorney-General said in the House; that is all that I considered serious.

*Q.* Where were you boarding?

*A.* At the Walker House.

*Q.* After this statement in the House, what was it that you next heard which you did not treat seriously, but still you did hear,—in connection with whose name?

*A.* Well, I heard Mr. Lees, of South Lanark, say; in fact, he said to me, that some

of the lumbermen on the Government side of the House were not satisfied with the Government timber policy.

The CHAIRMAN.—*Q.* Was that after you heard from Mr. Hardy?

*A.* Yes.

Mr. BLAKE.—*Q.* Would that be before or after the second caucus?

*A.* I could not say as to that; it seems to me it was before, as near as I can recollect.

*Q.* Is Mr. Lees a Conservative or a Reformer?

*A.* He is a Conservative; he is nominally Independent, but he has always been generally with the Conservative party in the House; I consider that.

*Q.* That is the reason you give it with a certain amount of doubtfulness?

*A.* Not at all.

*Q.* You think you may have him so securely that you may call him a Conservative?

*A.* He is too decent a man to call anything else, even an Independent; he is a man of decided opinions.

*Q.* That is the kind of a man you honour?

*A.* One way or the other.

*Q.* Did you hear that directly from Mr. Lees?

*A.* I heard it directly from Mr. Lees, sitting at the table with him; I did not follow it up.

*Q.* Then when did you next hear anything?

*A.* I heard nothing until it came out in the House.

*Q.* Either joking or in earnest?

*A.* Well Mr. Lees mentioned this once or twice to me, and the remark I made to Mr. Lees was to pay no attention to these men, that I had no confidence in what they would say about that matter.

*Q.* Then you yourself of course had nothing whatever to do with approaching?

*A.* Nothing whatever.

*Q.* And you did not hear anything more definite than what you have told us until on the 17th March the thing was mentioned in the House?

*A.* No sir, when it was brought out in the House.

*Q.* Do you know Mr. Wilkinson?

*A.* I knew him by sight; and latterly of course I knew him particularly to be Wilkinson; I never had an introduction to him.

*Q.* You knew him first as Mr. Wilkinson, and then you knew him as Wilkinson, you dropped the Mr.?

*A.* No, not particularly; he is entitled to that yet likely.

*Q.* Were you introduced to him?

*A.* No, I knew him by sight, and he knew who I was and spoke to me—met me himself; I was never introduced to him by any person.



Q. When was it you got to be in that state that you were on talking terms?

A. Well, he met me in the Walker House; I think it was the second week of the Session.

Q. Did you see him frequently at the Walker House?

A. Well, the latter part of the Session I saw him very frequently; not the fore part.

Q. Had you many conversations with him?

A. No, I met him but once; I would not be positive to say once; I think I met him around in the smoking room or sitting room of the Walker House, once or twice; I am speaking of the fore part of the Session, I met him more frequently in the after part.

Q. In the after part of the Session had you many conversations with him?

A. Very few.

Q. Do you know what his object was in being in the city of Toronto?

A. No.

Q. He never let you know from anything that he said or any word that he dropped?

A. Nothing whatever, not the slightest.

Q. You never asked him to go down and help you in your constituency?

A. No sir.

Q. Why did you smile when I asked you that?

A. Well, I did not require the help.

Q. You did not require that kind of help?

A. It was enough to make any man smile.

Q. The thought of your constituency being a Conservative, requiring that kind of help?

A. And sensible.

Q. The last meeting was simply I suppose called because of what had taken place on the 17th March?

A. I think so.

Q. And had reference to that?

A. Particularly to that.

Q. There were no votes to be taken in the House after that date?

A. It seems to me there were several votes taken after that in the House.

Q. After the 19th?

A. After the 19th. The last night and morning of the session there were several votes, several divisions.

Q. From what was said by one witness I would have thought that that last meeting had to do with the question of what your action would be, and so on?

A. Well, not exclusively.

*Q.* Was there any other matter brought up?

*A.* Some questions as to whether more divisions would be had on questions that were to be brought up; the election law, I remember. I think the amendment to the election law was one of the questions not fully settled in the House. The last bill that was passed was considered a very important bill.

*Q.* Do you recollect anything else?

*A.* Yes, the question whether there would be a division on the timber policy even then was discussed. That is the first I had heard of it; I had not been present at the intermediate meeting.

*Q.* Was it decided to have a vote upon the election law and upon the timber policy?

*A.* No vote on the timber policy; upon the election law.

The CHAIRMAN.—There were different clauses of the election law passed after the 17th.

Mr. BLAKE.—So the speaker has said, but I was asking whether it was decided in that caucus that they should take these votes or not.

WITNESS.—I think it was decided to attack some features of the bill; there were no formulated resolutions.

*Q.* Was there any resolution produced at that meeting as to the timber policy?

*A.* Yes, there was a resolution; I am speaking now from recollection, of course.

*Q.* Mr. Meredith wrote the resolution?

*A.* I think it had been previously prepared, as to the timber policy.

*Q.* At that meeting Mr. Meredith produced a resolution upon the timber policy, which had, as you believe, been previously prepared; and it was concluded that you had better not try to carry that?

*A.* Concluded not to move it.

*Q.* Do you recollect the reasons that were assigned for not moving that?

*A.* I do not.

*Q.* In addition to the one that you did not think you would carry it?

*A.* We had not any hope of that.

*Q.* Were you one of those that were dissatisfied with the timber policy, or was it one that was of much importance in your county?

*A.* No importance whatever in our section of the country; it did not have a local interest to me; of course I took an interest in it as having an interest in the country.

*Q.* And a little interest in your party?

*A.* Well, that is an interest in the country to some extent.

By Mr. MEEK.—*Q.* Did you see Mr. McKim at the Walker House when you were there?

*A.* Yes, saw him frequently.

*Q.* Did you ever have any conversation with him?

*A.* Frequently; it was a general thing to converse with each other when we met.

Q. Did you ever see him going into Wilkinson's room ?

A. No, I don't know what room Wilkinson's was.

Q. Then I suppose Mr. Wilkinson was not there very long ?

A. He was not there long that I saw, the fore part of the session ; he was there a few days in the after part of the session.

Q. How long was he there the fore part of the session ?

A. Two or three days as far as I can recollect.

Q. How long in the after part of the session ?

A. Well, he was there perhaps a week, perhaps longer than that ; I am just speaking as I happened to see him going in and out.

Q. Was McKim constantly with him ?

A. Not that I noticed.

Mr. BLAKE.—Q. There was something that you wanted to mention to me ?

A. You asked if there was any other reason for not submitting the timber resolution than the fear of not carrying it ; there was the reason that at that stage of the session it was not wise to move the resolution at that time.

Q. It was not wise then under the surrounding circumstances ?

A. Yes, just at that particular time to do it.

Commissioner SCOTT.—Q. You mean on account of the lateness of the session ?

A. And the circumstances that had been brought up in the House.

PATRICK BASKERVILLE, called by Mr. Blake, sworn.

Q. You are a member of the Local Legislature of Ontario ?

A. Yes ; I am a member of the Conservative party ; I represent the city of Ottawa ; I was in the House the term before this four years ; I was present from the beginning of last session to the end of it.

Q. Were you present at these caucuses that had been referred to ?

A. I was present at two, I think ; I think they were the two first, if I remember right ; I can't tell you the dates ; I was boarding at the Continental ; there were five or six other members boarding there ; there was Mr. Rayside, Dr. Dowling, Mr. Hart, Mr. Waters, Mr. Bishop ; I don't know of any others. I had known Dr. Dowling before, but not much.

Q. At that first caucus what took place that you can recollect ?

A. The appointing of a whip, I think, was the first business done, and I can't remember what else took place. I don't know of any discussion or anything in particular being talked of besides appointing the whip.

Q. Were there any committees appointed by the Opposition ?

A. Not that I am aware of.

Q. Matters were left then pretty much to the whip and deputy whip of the party ?

A. As far as I am aware.

Q. Do you recollect any talk there about the probable majority?

A. I think there was something said as regards the probable majority, but really I forget what was said.

Q. You forget the figures?

A. There was supposed to be about ten or eleven; there was some surmising in regard to a couple of Independent members—Mr. Neelon and Mr. Hart.

Q. Do you recollect any other names being mentioned?

A. I don't know of any other.

Q. Have you got a more distinct memory as to what took place at the second caucus?

A. I have not; I don't remember of any discussion, or anything transpired that I can refer back.

Q. Whatever did take place your memory has not retained it?

A. No.

Q. Will you swear whether or not the question of the timber policy was there discussed?

A. No; I would swear that I cannot remember it being discussed; I think if it was, hearing so much of it, I think I would have referred back to it and remembered.

Q. When did you first see the resolution upon the question of the timber policy?

A. I don't remember of seeing or hearing of any resolution.

Q. Therefore, I suppose, you cannot have been present at the last meeting?

A. I only attended two meetings that I remember.

Q. Were those the two that were held in the *Mail* building?

A. Yes.

Q. Had you a room set apart—how did you come to meet there?

A. I don't know whether it was set apart; there was a large room there that we met in.

Q. Do you know Mr. Wilkinson?

A. No.

Q. Never were introduced or spoke to him?

A. Never.

Q. Mr. Bunting?

A. I knew Mr. Bunting.

Q. Did you know him before this Session?

A. Yes, I met him in Ottawa, and had seen him here in Toronto several times; never have been very much acquainted further than to salute him.

Q. You saw him during the first fortnight in the House?

A. Yes, I saw him sitting in the floor of the House.

*Q.* Continually ?

*A.* More than once.

*Q.* It was more than once ?

*A.* Yes, much more.

*Q.* You could not say how often ?

*A.* No.

*Q.* Did you know Mr. Meek ?

*A.* No, I know him now.

*Q.* When did you first hear anything about any probability or possibility of some member being approached, or being doubtful, or that could be influenced ?

*A.* I don't remember of hearing of anyone being approached until after this matter had been brought up in the House on the 17th of March.

*Q.* You swear that you had not heard of the possibility ?

*A.* Yes, I can swear that I had not never heard of a man being approached directly in the affair with a bribe or with money to induce him.

*Q.* That is not my question at all ; my question to you was when had you first heard that anybody was approached, or that there was a probability or possibility of a person that ordinarily voted for the Government voting against them ?

*A.* I have not heard of it. I did not hear it any time, that any member of the House that had generally supported the Government would vote against them.

*Q.* You did not hear anything about Mr. McKim until the 17th March ?

*A.* No.

*Q.* Or Dr. Cascaden ?

*A.* No.

*Q.* Mr. Dowling ?

*A.* No.

*Q.* Nothing at all until 17th March ?

*A.* No.

*Q.* You did not approach anybody yourself ?

*A.* Well, no, I did not, I think I may have said on one occasion to a gentleman that had been speaking of being discontented with the party, and that he had no politics, that the only course for him to take is to consider the debates of the House and he would be able to judge for himself and decide it.

*Q.* Who was it that you gave this advice to ?

*A.* Dr. Dowling.

*Q.* It was Dr. Dowling's first session ?

*A.* Yes.

*Q.* You advised him to watch the debates in the House and see what he thought was right and vote accordingly ?



A. Exactly ; I must say that Dr. Dowling and I had been very much attached to one another from the beginning of the session ; he was a young man ; I was very well acquainted with his father-in-law and his wife's family, and I took an interest in him, although he did differ with me in politics, so in some of our conversations I did make that remark to him.

Q. Did you give the same advice to everybody else ?

A. No sir.

By Mr. MEEK.—Q. Do you remember my being in the House of Assembly, during the early part of the Session, one evening ?

A. I don't remember.

Q. We were not acquainted at all at that time—you don't recollect ?

A. I don't recollect.

Q. You are a smoker I believe ?

A. Yes, I smoke considerable.

Q. You frequently go into the smoking room ?

A. Yes.

Mr. BLAKE.—I have got these other witnesses, if Your Lordships think it best to go on.

The CHAIRMAN.—We do not think it is necessary, so far as the Commissioners are concerned, that any further members of the Conservative party should be called on, but if those gentlemen whose names are mentioned in the list of witnesses are present, we think it would be proper enough to call them, to give an opportunity to anyone who may choose to examine them.

Mr. BLAKE.—I tender them, My Lord, they are here, that is what I desire understood, that the number of witnesses called for the Commission was fifty-one, and a good many of those were just of that class ; then Mr. Meek asked that some thirteen or fourteen more should be called, and then Mr. Caswell for nineteen more. I am wrong in saying fourteen more, because the list handed in by Mr. Meek and Mr. Caswell include some that were already called on the part of the Crown, but they are here if there is any desire to examine them.

The CHAIRMAN.—You may call their names over if any gentleman wants to examine them.

Mr. BLAKE.—Major Gray is here. We also subpoenaed Mr. Laidlaw, and his name was mentioned, but after the statement of Mr. Goldie I did not think there was any necessity.

The CHAIRMAN.—So far as we are concerned we do not think there is any necessity.

Mr. BLAKE.—Mr. Gibson will be examined. Mr. Caldwell, Mr. Murray, Mr. Drury, Mr. Ferris, Mr. Merrick, Mr. Ermatinger, Mr. White, Mr. Creighton, Mr. Meredith, Mr. French, Mr. Carnegie, Mr. Sills, if they desire these to be examined, or if Mr. Meek, or Mr. Caswell desires to examine them.

Mr. CASWELL.—I would like to call Mr. Caldwell some time later ; not just now.

Mr. BLAKE.—The only one that I desire to examine is Mr. Merrick, who was here all yesterday, but is not here to-day ; I have no doubt he will be in attendance in due course, and I also desire Mr. Monk. I supposed that as Mr. Monk was the whip he might be able to give some information the Commissioners desire to have.

The CHAIRMAN.—Yes ; will you call those that you do not mean to examine ?

Mr. BLAKE.—Those that I do not mean to examine are Mr. Laidlaw, Mr. Ermatinger ; he was one of those excused ; Mr. White and Mr. Creighton were also excused.

Commissioner SCOTT.—What about Mr. White ?

Mr. BLAKE.—He will be here to-day. We do not propose to examine Mr. Creighton ; he, of course, is excused ; nor Major Gray, nor Mr. Carnegie, nor Mr. Mulholland.

Commissioner SENKLER.—Does Mr. Meek or Mr. Caswell wish to examine either of these ?

Mr. MEEK.—Not at present.

Mr. BLAKE.—We propose to examine Mr. McCallum.

Commissioner SCOTT.—Do you propose to examine Mr. French ?

Mr. BLAKE.—He is not here to-day. I think we will examine him.

The CHAIRMAN.—Does Mr. Meek or Mr. Caswell propose to examine Mr. Laidlaw ?

Mr. MEEK.—No, my lord ; I do not propose to examine Mr. Laidlaw ; I desire to examine Mr. Creighton and Mr. Ermatinger.

The CHAIRMAN.—Do you want to examine Major Gray ?

Mr. MEEK.—I simply want to ask him a question.

Mr. BLAKE.—As to these witnesses, I do not want to be answerable, and I do not want to keep them here.

The CHAIRMAN.—Major Gray is here if you desire to examine him.

Mr. MEEK.—I will examine him ; I do not desire him to be sworn at all if he will tell me if he recollects if he saw me in the smoking room.

Major GRAY.—No, I don't recollect.

Commissioner SCOTT.—What witnesses are excused ? Mr. Laidlaw is excused.

Mr. BLAKE.—Yes, My Lord.

The CHAIRMAN.—Laidlaw, White, Graham and Mulholland.

Mr. MEEK.—I do not want to examine Mr. Laidlaw at all.

Commissioner SCOTT.—What about Mr. Mulholland ; do you want him ?

Mr. MEEK.—I do not know the gentleman at all.

Mr. MULHOLLAND.—I am present if anyone wishes to examine me.

The CHAIRMAN.—Do you wish to examine Mr. Mulholland?

Mr. MEEK.—No, My Lord.

Mr. CHAIRMAN.—Nor do you, Mr. Caswell?

Mr. CASWELL.—No, My Lord.

The CHAIRMAN.—These gentlemen need not remain longer in attendance unless they desire to do so.

GEORGE WILLIAM MONK, called by Mr. Blake, sworn.

Q. You are a member for the County of Carleton in the Ontario Assembly?

A. Yes.

Q. You are a member of the Conservative party and the whip of the party?

A. Yes.

Q. How long have you been representing Carleton?

A. Thirteen years—since 1871.

Q. It was at the last Session that you were selected as whip of the party?

A. Yes.

Q. We were told that there were three caucuses?

A. Three, I think.

Q. Summoned by you?

A. Yes.

Q. And these were held in the *Mail* office?

A. Yes.

Q. Were there any other meetings of the members of the Opposition—whether of all the members or only a portion of them—beside these three meetings that have been referred to by the witnesses?

A. None that I am aware of.

Q. Were there any committees appointed or named, or who acted in the interest of the Opposition—committees of two, or three, or four?

A. Not that I am aware of.

Q. Then the matters were generally left to you or to your assistant whip?

A. Yes.

Q. And if there were other persons, they were appointed by the leader of the Opposition independently of you, the whip of the party?

A. Yes; I knew nothing of any.

Q. You know nothing of two persons either being appointed or assuming to act—Mr. Ermatinger or any other member—in respect to the furtherance of any matters of your party?

A. No, I am not aware of it.

*Q.* Did you keep any notes or minutes of the meetings that were held ?

*A.* No.

*Q.* There were none made at the time ?

*A.* No, I made none.

*Q.* Were any made by any one ?

*A.* Not that I am aware of.

*Q.* No secretary appointed ?

*A.* No ; I am inclined to think Mr. Meredith took some little notes, but none that I am aware of.

*Q.* He would be chairman ?

*A.* Yes.

*Q.* There was no regular secretary appointed for the purpose of taking notes ?

*A.* No.

*Q.* At the first meeting it is said that there was the appointment of yourself and of the assistant whip ?

*A.* Mr. Morgan.

*Q.* And there was a hand shaking and introduction, and there was a little counting of noses ?

*A.* I don't know that I am at liberty to say exactly what took place at the caucus.

*Q.* Isn't that the privilege of the whip ?

*A.* I don't know as it was ; matters transacted in caucuses are supposed to be private, I suppose.

*Q.* The other six members have mentioned what took place ?

*A.* Well, there was nothing further took place than what they say took place ; I don't object to the question ; there was nothing further than what you say.

*Q.* Do you recollect the names of any persons that were mentioned as being persons that it was thought possibly might vote with you ; the name of Mr. Hart was given as one ?

*A.* Yes.

*Q.* And Mr. Neelon was given as another ?

*A.* I fancy so.

*Q.* Who else ?

*A.* I really can't remember their names ; I remember those two, and possibly there may have been others spoken of.

*Q.* Who do you think ?

*A.* Well, I wouldn't like to venture a guess, and I don't remember positively of even those two that you speak of.

*Q.* Who do you think were mentioned ?

*A.* Well, I do not feel disposed to mention any names, because it is not clear enough in my mind what they were.

*Q.* Do you reserve that as the privilege of the caucus, or what is the reason?

*A.* No, I reserve it as my own right; I do not even wish to suggest names that I am not positive was mentioned at all.

*Q.* Then we cannot get from you more than that you think there were other names, but you have not got those so firmly in your mind that you would like to mention who they were?

*A.* No.

*Q.* Do you recollect whether it was thought that there would be a majority against you of eight, nine, ten, eleven, or twelve?

*A.* Well, in my own mind I expected a majority of twelve against us.

*Q.* And there were some that were more hopeful?

*A.* Yes.

*Q.* Do you recollect what was the lower figure mentioned?

*A.* I think I heard some parties mention ten.

*Q.* Did any reduce it to nine?

*A.* I don't recollect.

*Q.* Anything else as to defining the policy of the Opposition at that meeting?

*A.* No, I am not aware of anything particular.

*Q.* Don't you recollect anything at all?

*A.* Well, there was a discussion of matters in general, but nothing particular.

*Q.* Nothing about whether the Address would be vulnerable, the question of license, the infringing on the rights of the Dominion?

*A.* There was some mention made of some discussion with regard to the license.

*Q.* It is not fair that I, that was not present at the caucus, should be left to help you out?

*A.* I may not have been paying very close attention.

*Q.* Don't you think there was something said on the question of the license?

*A.* Yes.

*Q.* Shall I help you again, or will you give me the next matter?

*A.* I really don't remember what there was done.

*Q.* Nothing said about any boundary award and conflicts between the two, and that they were pressing it rather hard?

*A.* There may have been; probably there was; Mr. Meredith, I think.

*Q.* Will you give it to me a little more strong than probably—possibly, perhaps?

*A.* Well, possibly, Mr. Meredith, I think, alluded to the boundary award.

*Q.* Then do you think you got from the dry land on to the stream?

*A.* I don't recollect anything about the stream.



Q. Sure ?

A. I am sure that I don't recollect it, that is all I can answer for.

Q. Do you recollect anything on the question of timber ?

A. No, I do not.

Q. Is your memory so good that you will say that it did not take place, or simply that you don't remember ?

A. Well, I would prefer saying that I don't remember ; I am inclined to think that there was nothing said.

Q. The *non mi rico, do* is the more agreeable form of putting it ?

A. All right.

Q. You were present at the second meeting of the caucus ?

A. I was present at each of these.

Q. Have you more distinct recollection of what took place at the second than at the first ?

A. I think I have ; I really forget what we called the caucus for ; except it was to——

Q. Except it was to give the caucus something to do ?

A. Perhaps it was.

Q. Did you leave it to your deputy ?

A. I simply called a caucus, and I was there.

Q. You got instructions, I suppose, from the Leader ?

A. From the Leader to call the caucus at a certain hour, and I called the roll at the meeting.

Q. Do you recollect what the second caucus was called for ?

A. No.

Q. Or do you recollect the time ?

A. No.

Q. You have got no memorandum ?

A. I have got a note book that I carried to keep such matters in in my pocket during the sessions ; I have not got it with me ; I did not know I would be questioned on such subjects, and I did not bring it.

Q. Was it a diary for the year 1884 ?

A. No, it was just simply a little blank book that I used to put my pairs and such little matters.

Q. Do you keep your jottings in it still ?

A. No, I simply kept it during the session.

Q. You did not give it to Mr. Dwight ?

A. Oh, no ; just a private memo.

Q. Without the aid of that you could not give us the date ?

A. No. I am not positive I put the date in that.

Q. Not recollecting what it was called for, or the time, do you recollect what took place at it?

A. Not particularly; we called one caucus that there was very few attended; we did not really go on with anything—dispersed; but whether that was the second or third I am not really aware.

Q. It was said by one of the witnesses that amongst other things that he thought were discussed at the second caucus was the question whether they would vote on the timber policy or not; is that your recollection or not?

A. I don't remember anything about that question.

Q. Will you presume for a moment to say that it did not take place?

A. I don't know whether it took place or whether it didn't.

Q. Do you recollect seeing the resolution prepared by the Opposition in regard to the question of the timber policy?

A. No, I don't think I saw one, at no time.

Q. Didn't you see it at the caucus or meeting that was held on the 19th March?

A. No, I don't recollect seeing any such resolution.

Q. One of the witnesses has told us that it was a resolution that had been prepared by Mr. Meredith earlier?

A. If it was so, I have no recollection.

Q. Do you think your deputy would know more about this than you?

A. Possibly.

Q. He could not know less?

A. He could not know less.

Q. Those were the only three meetings that you recollect?

A. That is all that I remember about.

Q. Do you know Mr. Wilkinson?

A. I met him once or twice.

Q. I can't get anybody that did more than meet him; I don't know how that is; why didn't you do more than meet him?

A. Well, I know him if you prefer the word.

Q. Shook hands with him?

A. Yes,

Q. Frequently?

A. Well, in Toronto I only met him once or twice I think, during the session.

Q. Which Christian name do you give him?

A. Wilkinson is the only name I knew him by; I have heard him called "Squirrel Coat," is it, or what is it.—I forget.

Q. You utterly repudiate the idea of his having a Christian name?

A. Oh; I don't know his other name.

Q. Didn't you know that he had been christened "Big Push?"

A. "Big Push" I was thinking of "Squirrel Coat," but that was another man,—Big Push.

Q. That was another Wilkinson; when were you first introduced to him?

A. In the County of Renfrew, during the Dowling election; he was there in Mr. Devine's interests.

Q. Was the Devine Candidate a Conservative or a Reformer?

A. Conservative.

Q. You ran a deity in what county?

A. South Renfrew.

Q. Was the deity beaten?

A. Yes.

Q. What was Mr. Wilkinson doing there?

A. He came up in the interests of Mr. Devine; he spoke at meetings.

Q. Do you recollect when that was?

A. It was after the protest, early in January.

Q. Had you known Mr. Wilkinson in any other election contest?

A. No; I had never met him before.

Q. Were you on the platform with him?

A. No; I was not: when I first met him I was in a hotel, and he came in. He had just come up from Ottawa.

Q. Was there anything that attracted you in him?

A. No.

Q. Has he large pockets or anything of that kind?

A. Not that I am aware of.

Q. He never helped you in your county?

A. No.

Q. After that meeting in January, when did you next meet him?

A. In Toronto, here, on Bay Street, I think. I have only a distinct recollection of meeting him once.

Q. Did you know Mr. Meek, the solicitor of the party?

A. I knew him towards the end of the Session, I did not know him before.

Q. About when were you introduced to him?

A. I really can't remember of being introduced to him. He was pointed out to me.

Q. Did you introduce yourself?

A. I don't know. I came to know him somehow.

Q. In the usual way you met him ?

A. Yes.

Q. Did it ripen into greater intimacy ?

A. Not particular. I have not met Mr. Meek more than three or four times.

Q. Did you ever have any private conversation with him at all ?

A. No.

Q. Or with Wilkinson about any members ?

A. Mr. Wilkinson asked me some questions in regard to some of the members. It was when I met him on Bay Street. It was during the Session, I think in the early part of the Session.

Q. Who was it he asked you about ?

A. Well, he asked me in a more general way, I think, than particular, if I thought there was any, if I saw any, disaffecting among the supporters of the Government, if I thought any of them would be likely to go to our side.

Q. That was the first time Mr. Wilkinson had spoken to you since you had met him down in Renfrew ?

A. Yes.

Q. Had you only the one conversation with him ?

A. That is all I am aware of.

Q. He asked you if there were anyone that you thought was disaffected towards the Government ?

A. If I was aware of any disaffection : I said I didn't know of any, he said, he thought perhaps, that there was.

Q. Then what name did he mention to you ?

A. I don't know that he mentioned any name ?

Q. Swear that he did not ?

A. Yes.

Q. You are not in a caucus now ?

A. I am not aware of his mentioning any names.

Q. Did you suggest any to him ?

A. No.

Q. Had you any further conversation ?

A. No, nothing whatever ; he passed his way and I passed mine.

Q. That was before the first vote was taken ?

A. Well, I suppose so ; it was early in the session.

Q. You did not meet him afterwards ?

A. No.

Q. Then were you aware of Mr. Wilkinson being in any other constituency than Renfrew?

A. Well, I heard of his taking part in Muskoka. I spoke to him about it; we had a conversation about Muskoka.

Q. When was it you had a conversation about Muskoka?

A. In Renfrew.

Q. Which Muskoka campaign was that?

A. The last one, the same time Fauquier ran there.

Q. For the House of Commons?

A. No.

Q. Was that the regular general election for Muskoka?

A. Yes.

Q. Was he telling you a little of his exploits there?

A. Oh yes, in a jocular way.

Q. It is a thing that you could scarcely be serious upon?

A. No.

Q. Therefore if he told you at all it must have been in a jocular way?

A. Yes.

Q. Did he tell you much about it?

A. No; not much.

Q. So then you came to the conclusion that he could not have a Christian name?

A. I never considered that subject.

Q. Did he reveal to you the mode whereby he had been able to do a little in Muskoka?

A. Well, he talked about his demoralising his opponents on the platform more than anyone else.

Q. Not demoralising—demolishing them?

A. Demolishing.

Q. He demoralised them when he got them off the platform, but he demolished them when he got them on the platform?

A. Oh!

Q. You had not met him until this occasion in Toronto?

A. In Toronto.

Q. You did not care to let him into the secrets of your party?

A. No.

Q. You did not recognise him as being one who was working with you?

A. Not particularly. I knew he was a friend to the party.



Q. And that he was just working in a general way?

A. Yes.

Q. That was during the first fortnight?

A. Yes.

Q. Then there was a vote; are you aware that Mr. Wilkinson left the city of Toronto not long after the vote?

A. I don't know when he left.

Q. Of course you yourself did not approach any member?

A. No.

Q. Or make any offer to them?

A. None whatever.

By Mr. CASWELL.—Would you tell me if Mr. Kirkland's name ever came up at any of these caucus meetings?

A. No; I have no recollection of hearing it any way.

Q. Did Wilkinson's name ever come up at any of these meetings?

A. I have no recollection of it.

Q. If they did any wrong I suppose the party did not authorize them to do it?

A. No.

Q. The caucus did not authorise them to take any proceedings?

A. Certainly not.

Q. You would know if anything of that kind were done?

A. I would probably know.

Q. I think you said you had no recollection of the timber policy coming up at any of your meetings?

A. No.

By Mr. MEEK—Q. I understand you to say that you never met me more than two or three times during the Session?

A. That is all.

Q. You never heard me called the Solicitor of the party, which my learned friend is trying to do?

A. Yes, I have heard you called the Solicitor of the party.

Q. By whom?

A. In conversation with members of the party; I can't remember who; my first recollection of hearing you spoken of at all was in connection with the party, as being a friend of the party's.

Q. What Mr. Blake tries to convey is that I was acting as legal adviser and Solicitor for the party?

A. I did not mean to put it in that way; I did not understand that there was any; I had no official notice of your position in that way.

*Q.* I don't know that you had any notice, official or otherwise ?

*A.* No.

*Q.* I think you were in the smoking-room of the House of Parliament the evening that I had the conversation there with Mr. Cascaden ; I would like you to try and recollect, and I will call the circumstances to your mind and then ask you if you can recollect ?

*Mr. BLAKE.*—I think it would be more reasonable if Your Lordships are going to decide this upon the memory of Mr. Meek, to ask Mr. Meek what took place instead of saying "Don't you think so and so did happen ?"

*The CHAIRMAN.*—I think that is the usual way of examining a witness, instead of telling him all the circumstances, which is leading.

*Mr. MEEK.*—I am cross-examining.

*The CHAIRMAN.*—There must be some limit.

*Mr. MEEK.*—I shall do that. (To witness.) *Q.* Then do you recollect seeing me in the smoking-room in conversation with Mr. Cascaden ?

*A.* I don't remember.

*Q.* Do you remember on one occasion seeing me sitting on the platform to the left of the Speaker under the reporters' gallery ?

*A.* I can't recollect ; I remember seeing you on the floor of the House sometime, but I can't particularise what day.

*Q.* Under the Speaker's gallery there ?

*A.* Yes, in that neighbourhood ; what we call the Speaker's gallery is at the lower end of the room opposite the Speaker ; you mean under the reporter's gallery, I infer.

*Q.* Under the reporter's gallery I am speaking of ?

*A.* Yes, that is where I do remember having seen you.

*Q.* Do you remember Mr. Bunting sitting there at the same time ?

*A.* I remember Mr. Bunting sitting there—whether at the same time or no, I don't recollect.

*Q.* I suppose you would not have observed it, I need hardly ask you the question, but do you recollect whether Mr. Cascaden was also sitting there beside myself and Mr. Bunting ?

*A.* I don't recollect ; I don't remember seeing you and Mr. Bunting sitting in any particular time or sitting together, but I remember that I have seen both of you there.

*Q.* Sitting in that same quarter under the reporters' gallery ?

*A.* No, I don't ; I remember seeing you both there, but whether you were together or separate I cannot say.

*Q.* I am not asking whether we were together or not ; I am asking you whether you saw Mr. Bunting and myself sitting there under the reporters' gallery at the same time ?

*A.* No, I can't recollect it.

*Q.* Do you recollect whether Mr. Cascaden was sitting there or not at any time when Mr. Bunting was sitting there, or when I was sitting there ?

*A.* I don't remember.

Q. You never had any conversatien with me, or I with you in reference to any members, or approaching any members?

A. Not that I am aware of.

DAVID H. MINAKER, called by Mr. Blake, sworn :

Q. You reside in Cobourg?

A. Yes.

Q. Do you know a gentleman by the name of Wilkinson?

A. I do.

Q. For how many years have you known him?

A. I ain't sure, but when I seen him about twenty years ago, sometime when he was married; he married a lady in Cobourg; then for a great many years I don't remember seeing him till I think about, I forget how many years; it was the election about four years ago I think, or five; he lived in Western Canada some part of the time.

Q. And then he returned to Cobourg?

A. He never lived in Cobourg before, that I am aware of.

Q. Was the lady any relative or connection of yours or your wife's?

A. No.

Q. Then she was merely an acquaintance of yours in Cobourg?

A. Yes.

Q. The last four years he lived in Cobourg?

A. Yes.

Q. When did you last see him?

A. I think about three or four weeks ago.

Q. Where was it that you saw him?

A. Cobourg; I think I saw him next door to me in Mr. Sallsbury's, a brother-in-law of his; he generally comes down there for the papers every morning, Mr. Sallsbury is a stationer.

Q. He used to come down almost every day to see the papers?

A. I don't know, I often saw him there.

Q. Do you live next to Mr. Sallsbury?

A. Next door.

Q. You are in the habit of meeting him frequently through him coming down to see the papers or get the papers from the brother-in-law's place?

A. Yes; often when the papers would come in, being close by, I would slip in and see him there.

Q. You are also a member of the same political party—a Conservative?

A. Yes.

Q. Where was it you saw him three or four weeks ago?

A. I think it was at my door, standing along on the street there; that is the last time that I met him; I supposed that he was going to his own house; he did not mention that he was going away; I did not know that he was going away.

Q. Did you know that he had gotten an appointment in the North-West?

A. I had heard that he had one time, sometime, by reports.

Q. Had you ever spoken to him about it?

A. No.

Q. You swear to that?

A. Yes.

Q. He had never said anything to you about it?

A. Well, I have heard him for sometime say that he was going to get an office in the North-West; I heard him mention that frequently, in fact I heard him state that he expected to go down soon to see if he couldn't get an appointment, or words to that effect; I paid little attention.

Q. When was it that he mentioned to you that he was going down to Ottawa to get his appointment?

A. I think he has mentioned it, maybe it might be three or four times within this last year.

Q. 1884?

A. Yes, and part of 1883.

Q. That he was going down to Ottawa to get his appointment?

A. I think I am safe in saying it went farther back than a year.

Q. Farther back than July of 1883?

A. Yes.

Q. Can you say whether this meeting with you was in June, or what period of June it was?

A. Well, three or four weeks sometimes passes quicker than it does other times; I think I am safe in saying that it is within three or four weeks; I have got no date.

Q. Have you got any circumstances that will bring it before your mind?

A. No.

Q. How long was it after this conversation, which you say took place two or three weeks ago, that Mr. Wilkinson left for the North-West?

A. I could not say. I think a few days afterwards I heard someone say that Mr. Wilkinson had gone west; I can't say whether it was someone in the store—his wife and daughter sometimes came in—whether it is from that source; I keep a store.

Q. You think it is possible or probable that Wilkinson's wife or daughter may have mentioned the fact that he had gone?

A. Or Mr. Kershaw, or someone there friendly with him.

Q. Did Mr. Wilkinson tell you that he was probably going to the North-West?

A. Not just recently.

Q. When was it that he last mentioned to you that he was probably going to the North-West?

A. I really couldn't say, because he has, I know, been expecting and wanting a situation in the North-West for some time.

Q. What is the situation that he had gotten in the North-West?

A. I don't know; I don't know that he has got any.

Q. You say you were told,—from the information you received?

A. Well we see sometimes in print many statements or reports which are not correct; I see sometimes, I think, in our local paper that Mr. Wilkinson got an office, or I think I see it in the *Globe*.

Q. Connecting these two things, the local paper and the *Globe*, surely you cannot have any doubt that it must be a fact?

A. I think that there is great doubt about it.

Q. Do not the two combined convince you?

A. No sir.

Q. What was the office that you heard that he had obtained?

A. Well, one of the offices, Regina or Edmonton registrarship,—or Calgary I think one of these three.

Q. What office is that he is enjoying at present?

A. I don't know.

Q. Didn't you hear?

A. I did not.

Q. You swear to that?

A. I swear to that.

Q. Are you not aware that he is at present up there inspecting certain lands?

A. I am not.

Q. Were those what he told you were the prospective offices?

A. No; well it seems to me that more than a year ago he had an idea of Edmonton; I think that he went to Ottawa once or twice—told me that he was going down to see whether he couldn't go away sooner than he was expecting at one time; he thought that if he waited till the winter season that it would not be so pleasant, and he wanted to get out in the spring, so it must have been early in 1883, and when he went down to Ottawa he came back and did not get the office, I remember that, but he went down afterwards.

Q. I should imagine that, because it would not have suited at all, that he should have gone away in the spring?

A. Well, he was very anxious to.

Q. He didn't get his office, and he was kept on until he went away in June, 1884?

A. I don't know whether he was kept on; he remained at home.

Q. Before these three or four weeks had passed, how long before had you seen Mr. Wilkinson, or were these meetings such an occurrence that you couldn't keep the dates?

A. Oh, it is impossible; sometimes I will just meet him on the street and bid him the time of day; there was no special reasons for conversation.



*Q.* That is all that you know of where he has gone to and where he now is?

*A.* Yes, I have not the slightest idea.

*Q.* Did you yourself take any part in the contest in West Northumberland—that is the riding in which you live?

*A.* I did.

*Q.* Did Mr. Wilkinson?

*A.* Yes sir, I generally took a part in it.

*Q.* With brother Wilkinson?

*A.* Well, I don't know; with the party,—I don't know specially with whom.

*Q.* You worked a little in with him?

*A.* I worked; I see him different times on the platform.

*Q.* And off the platform?

*A.* Yes.

*Q.* I thought you were so much with him that you would be able to tell us all about him; you are disappointing me a bit?

*A.* I am.

*Q.* In his absence I think you should try and stand up a bit for him and represent him?

*A.* I will, as far as I think he is a good man; on the platform, I always thought that.

*Q.* We think he is a better man off the platform?

*A.* We differ there.

*Q.* Is your place on the platform, or off the platform?

*A.* I have no special place, I think, not that I am aware of.

*Q.* Are you the complement of Wilkinson; do you work in that way, the one on to the other?

*A.* Well, I don't know, he is always willing to go wherever his friends thought.

*Q.* Then you don't recollect any interview that you had with Mr. Wilkinson before these three or four weeks in which he mentioned to you that he was going to the North-West?

*A.* No.

*Q.* Will you swear that that did not take place?

*A.* I will swear.

*Q.* Were you aware that he went down to Ottawa in the month of February last; did he tell you that?

*A.* No, I think that I was aware that he had been down, but that was after he returned—not by any conversation with him; we have had very little conversation since February last.

*Q.* Is he generally a talkative man?

*A.* Well, I suppose he is with friends; with some he would be more so than others.

*Q.* Aren't you one of his friends ?

*A.* Yes, I am, but sometimes some are more outspoken and others are more reserved ; I try as much as possible to keep my own counsel, and some people I don't open out to as readily as others.

*Q.* Did you not open out to him ?

*A.* I did not.

*Q.* He is not the style of man that you unbosom yourself to ?

*A.* Well, not on all matters by any means.

Commissioner SENKLER.—*Q.* Where is Mr. Wilkinson's family ?

*A.* Cobourg.

*Q.* Residing there ?

*A.* Yes.

*Q.* You know they are there at present ?

*A.* They were there within a few days.

By Mr. CASWELL.—*Q.* I suppose you saw the advertisement of the day this Commission was to be opened ?

*A.* I remember seeing that.

*Q.* Do you remember when you saw Wilkinson ; was it before that or later ?

*A.* I think it was before ; it is the advertisement for the 14th July I have reference to ; I don't remember noticing the one for the 14th June.

The CHAIRMAN.—*Q.* Was it as far back as the 14th June that you saw Wilkinson.

*A.* Well, I have always found in my business to name given dates was a very dangerous thing ; I have found that often.

*Q.* The nearest you can come is three or four weeks ago ?

*A.* It might be longer, and the more I think I think it was a longer time ; that is my impression. (By permission of the Court witness here asked Mr. Mulholland how many days it was since the latter returned from Winnipeg. Mr. Mulholland said he returned a week ago last Monday). Well, it must have been more than four weeks or five.

LACHLAN MCCALLUM, called by Mr. Blake, and sworn :

*Q.* You are the member for Monck, Mr. McCallum, in the Dominion Legislature ?

*A.* Yes, sir.

*Q.* How long have you represented that constituency ?

*A.* About 17 years.

*Q.* Did you attend the last session of the Dominion House ?

*A.* Yes.

*Q.* Were you there all the time ?

*A.* Not all the time.

Q. How often were you absent from the sittings ?

A. I think once, that I had to go home through sickness in my family—once or twice, for a few days.

Q. Is your memory not good enough to say ?

A. I think twice.

Q. And do you remember at what period in the session it was that you left ?

A. Well, I could not say on the first occasion, but I think I could on the last.

Q. When did the House begin to sit ?

A. Well, I do not know that I charged my memory with that. This year we met earlier than usual—some time in January.

Q. Then, was it in January, do you recollect, that you first came up ?

A. I think not. I think it was in February.

Q. Do you recollect what part of February it was ?

A. No, I could not.

Q. Well, in February you think was the first visit—and the next ?

A. The next was in March.

Q. And which of these visits was owing to the unfortunate sickness in your family ?

A. Both of them. My daughter was very sick.

Q. Do you recollect about how long you were away on the first occasion ?

A. Oh, very short the first time—I think a day or two—just time enough to get home and turn around.

Q. Would that be only an absence from Ottawa of five or six days ?

A. No.

Q. Four days ?

A. No.

Q. Three days ?

A. I think the first time I left Ottawa on Friday night, and got back there Tuesday morning. That is as far as I can remember.

Q. And on the second occasion were you longer ?

A. Yes.

Q. How long do you think you were on the second occasion ?

A. I think four or five days—five days.

Q. On the first occasion you left on Friday and you did not get back until Tuesday—portions of five days ?

A. Yes.

Q. The second you were longer ?

A. I think I can speak more positively as to the latter.

*Q.* Would it be about a week then, if longer than the first?

*A.* No, it might be five days—that is in all.

*Q.* Where is it you live, Mr. McCallum?

*A.* I live in the County of Monck. Stromness is my post office.

*Q.* And did you go directly to Stromness?

*A.* The first time I did.

*Q.* Not stopping on the way?

*A.* No.

*Q.* And returning did you also go directly?

*A.* Yes, I did. Oh, I might make a stay here coming back. I do not like to travel at night to Ottawa since I have got to be an old man. I prefer riding in the daytime.

*Q.* And you might have stayed over coming down?

*A.* Yes.

*Q.* But coming up you came directly?

*A.* Yes, that is the first occasion.

*Q.* Coming up on the second occasion did you go directly home?

*A.* No, I stayed here on my way up two or three days.

*Q.* Do you remember the day of the week you arrived here?

*A.* I think it must have been on the 13th of March—the 12th or 13th.

*Q.* Did you leave Ottawa by the night train?

*A.* I think I did.

*Q.* The 10 o'clock train at night?

*A.* I think it was.

*Q.* You made an exception and played the young man that night?

*A.* Yes.

*Q.* Arriving here on the 13th, or would it be the 12th?

*A.* Well, it would be either the one or the other. I know I stayed here two or three days then. I think I went away from here on a Saturday.

*Q.* Would that be Saturday the 15th of March?

*A.* Yes.

*Q.* Then, if you went away on Saturday, it would be Wednesday the 12th, that you arrived here?

*A.* Yes, I think so.

*Q.* Then you went home—and how long did you remain there?

*A.* I remained over Sunday, and came back Monday morning.

Q. So that you remained from Wednesday to Saturday in Toronto, stayed home Sunday, and came back on Monday?

A. Yes, I am satisfied that is correct.

Q. While you were here, did you receive any telegram as to the health of the member of your family that was ill?

A. No.

Q. Or any communication?

A. Oh yes.

Q. By letter?

A. No, I met an individual here from our part of the country that told me my daughter was better.

Q. Did you receive a telegram when you were in Ottawa speaking about her health?

A. No, I had a letter.

Q. And did the letter tell you also that she was better?

A. No, very sick—in fact, she was sick all spring, ever since I had been in Ottawa. I was very anxious about her.

Q. Did you transact any business in Toronto?

A. No, not of any importance.

Q. Where did you remain while here?

A. Do you mean where did I board?

Q. Yes.

A. At the Queen's Hotel.

Q. Did you see any members of the Local House?

A. Oh yes, I seen pretty much all.

Q. It was quite a holiday to you to be with them?

A. Well, you may call it a holiday if you like.

Q. And wouldn't you call it a holiday—it was a pleasure at any rate?

A. It is always a pleasure to me to meet my acquaintances.

Q. And do you recollect whom you met of the members of the Local Legislature that you could name?

A. I do not know as I could name. I know I was up to the House.

Q. Whom did you see there?

A. Well, I could not tell you. I see several faces in this room that I saw there. For instance, I see Mr. McKim, Mr. Broder, and I see Mr. Monk. I went up especially to see an old friend of mine, Mr. Austin Phelps, of Simcoe.

Q. And you saw him?

A. Yes.



Q. Anyone else ?

A. Oh, yes ; I was in the chamber and in the smoking-room, and saw all the members pretty much.

Q. But you could not give us the name of any you spoke to ?

A. I spoke to Mr. M'Kim, I spoke to Mr. Austin Phelps ; I think I spoke to Mr. Broder, who had just returned from being married, I think.

Q. You have mentioned that you spoke to those, and I ask you on your oath if you remember anybody else you spoke to ?

A. Oh, yes ; I remember several I spoke to ; if you give me time I will mention them ; I spoke to Mr. Neelon, of St. Catharine's ; I forget the name of the member from Waterloo that I was introduced to and spoke to that I never spoke to before ; I think I was introduced to a man named Mr. Drury, a gentleman I did not know before.

Q. Anybody else ?

A. I do not remember just now, sir.

Q. You swear to that ?

A. Yes ; I swear that I do not remember just now ; I am on oath all the time.

Q. Still, under oath you will not give me the name of anybody else that you spoke to ?

A. If you give me the name I will tell you ; I have no doubt I met members of the Government and spoke to them, because I am friendly with them when I meet them ; yes, I remember now speaking to the Minister of Education, Mr. Ross.

Q. And is it only the members of the Government that you speak to, or do you speak to the leaders of the Opposition ?

A. I do not say that ; I speak to anybody that is of my acquaintance, whether they are members of Parliament or not.

Q. Well, did you speak to any person that represents a county near your own ?

A. Yes, I spoke to Mr. Harcourt.

Q. Where did you first meet him ?

A. Do you mean the first time in my life, or when ?

Q. At this visit in Toronto ?

A. I think up at the House there.

Q. Now, recollecting him, do you recollect any other supporter of the Government to whom you spoke ?

A. Yes.

Q. Who else ?

A. I met an old friend there, the member from South Victoria, Mr. McIntyre ; I think the first time I ever met him as a member of Parliament ; I have no doubt there are several more, but I do not tax my memory with it at all.

Q. And do you recollect the subject of your conversation, for instance, with Mr. McIntyre ?

A. No, I do not.

Q. Has that passed from your mind?

A. I had no more conversation with him than what I would if I met you?

Q. Then you did not, during those days, as I understand, prosecute any business in Toronto?

A. Not particularly.

Q. Any general business?

A. No; of course, if you want my business from the cradle to the grave I was trying to make a market for grain and hay.

Q. And whom did you see?

A. I went down to the market and looked at it, and I finally sold hay, and I think agreed with a man of the name of Shaunessy to deliver some hay up to Lake Superior.

Q. You did not come up here to transact any business?

A. I always have an eye to business wherever I go.

Q. Did you do anything else that you can recollect?

A. No.

Q. Or any places that you were at, except the market and the Queen's Hotel and the House. Were you at the House every day?

A. No, I was not.

Q. How many visits did you pay to the House?

A. A visit on each occasion.

Q. On each day?

A. No, sir. I was twice from Ottawa home during the session, and generally, if I have time while in the city of Toronto, I go up to the Parliament Buildings, if they are in session.

Q. Did you know Mr. Wilkinson?

A. Yes, I know Mr. Wilkinson.

Q. How long have you known him?

A. It is some time—I do not know as I can exactly tell you.

Q. Would it be years or months?

A. Oh, it would be years. The first time Mr. Wilkinson was pointed out to me was when that article came out in the papers about Big Push.

Q. That would be the first time?

A. I know I did not know him then, because I wanted to know—

Q. Did you become acquainted with him then?

A. No, I never became intimately acquainted with him. I do not know that I know him yet, except to bid him the time of day.

Q. That is, you do not see clean through him?

A. No, sir.

Q. But you are acquainted with him enough to shake hands with him ?

A. Exactly.

Q. Did you see him here during this visit ?

A. I think I saw him on the stoop at the Queen's Hotel.

Q. Anywhere else ?

A. No, I think not. Yes, I saw him at the station, I think.

Q. The Union Station ?

A. Yes.

Q. On what occasion was that—your coming up or your going away ?

A. Well, I think neither. I think I went down to the station to meet some party there, and I think Mr. Wilkinson was there.

Q. Do you recollect who was with Mr. Wilkinson on that occasion ?

A. No.

Q. Had you seen Mr. Wilkinson in Ottawa shortly before your visit here ?

A. I think not.

Q. Sure ?

A. I do not remember seeing Mr. Wilkinson in Ottawa. I think about two or three years ago I seen him in Ottawa.

Q. Will you swear you did not see him in Ottawa during the session ?

A. Yes.

Q. Is your memory pretty good ?

A. Yes, pretty good.

Q. Had you received any message from him directly or indirectly ?

A. Never from Mr. Wilkinson that I know of.

Q. Did you mention to any persons in Ottawa that you were leaving before you came up ?

A. Yes.

Q. To whom did you mention it ?

A. All the boys nearly knew that I was coming away. All the friends were very sorry that a member of my family was sick.

Q. And was it only the boys knew it ?

A. Well, I call men boys ; I make that slip.

Q. Nobody asked you to come to Toronto ?

A. No, sir.

Q. Are you sure of that ?

A. Sure of it.

*Q.* Is your recollection of any conversation you had with any of the members as small as that of your conversation with Mr. McIntyre, or were there any of them that you had a more detailed conversation with?

*A.* No, I do not think I had any detailed conversation with any of them; if you mean in reference to this question here, I say I had no more conversation with any of them more than I could go and say on the house top. I swear to that positively.

*Q.* Did you ask any of them how they were going to vote?

*A.* No.

*Q.* Not a single person?

*A.* Not a single man, I would not presume to do that, because I would consider it impertinence on the part of any person to ask me how I was going to vote.

*Q.* Or any question of supporting the Government or the Opposition?

*A.* No.

*Q.* Said nothing to any one about the course he was going to pursue in the House?

*A.* No, I may have said to the boys that I would be very glad to see Oliver Mowat's Government turned out of power, because I said that all my life since ever it was formed.

*Q.* And do you remember any boy in particular to whom you said that?

*A.* No, neither boy nor man.

*Q.* Are you in the habit of collecting the boys around you and making little speeches to them?

*A.* No.

*Q.* You say you may have done it—then probably you did it?

*A.* I may have. If that is a sin, I am guilty.

*Q.* And you do not recollect sufficiently to know whether it was at the House that you thus addressed the boys, or at the Queen's, or where?

*A.* I do not say I did it at all—that I made any such speech.

*Q.* What did you say about the speech?

*A.* About what speech?

*Q.* The speech to the boys?

*A.* I did not say I made any speech to the boys. I said I may have said so, but not a speech.

*Q.* You may have said to the boys that you wanted Oliver Mowat out?

*A.* I say I think I told the boys, when I came away, that my daughter was very sick, and they were sorry. I say I may have said to the members of the House—I did not say I said it—that I would be very glad to see Oliver Mowat's Government defeated, because I said it on the hustings and everywhere, and if that is a sin, I am guilty.

*Q.* That was to the Ottawa boys?

*A.* No.

*Q.* What boys, then?

*A.* To the whole world—to every boy in the whole world—I say I may have said it.

*Q.* And you have no smaller stage than the world to play it in, and it may have been to the world that you made this address?

*A.* I am responsible to the world for my actions, and I am responsible to my Maker for the answers I give you now, and if you put the questions straight, I will be very glad to give you a straight answer.

*Q.* Then when you said you may have said to the boys that you would be very glad for the Mowat Government to be turned out?

*A.* I do not think I used the word boys on that occasion. If I did I did not mean to. I spoke of the members of the House.

*Q.* Was it in the House here or was it at the Queen's that you may have addressed either the members of the House, or the boys, as you call them?

*A.* I do not say I addressed them at all, I have no recollection of it. I say I may have said it.

*Q.* And you will not go any further than that?

*A.* No.

*Q.* Had you any conversation of that kind with any one member of the House?

*A.* I do not recollect having any conversation with any member of the House, but what I would tell to the world publicly.

*Q.* Had you any conversation, for instance, with Mr. Harcourt upon the question?

*A.* Well, I do not know, I may have.

*Q.* Try and think that over?

*A.* It is altogether likely I may have, but certainly I would not say anything to induce Mr. Harcourt to vote one way or the other—would not presume to do it.

*Q.* But we will just get at the conversation, I have no doubt from what you have said that you will give it to me if you can recollect it?

*A.* Certainly.

*Q.* And what was the conversation you had with him?

*A.* I do not recollect distinctly.

*Q.* Did you see Mr. Harcourt more than once?

*A.* I think I did—may have seen him two or three times, because I have been at the House, and I may have met him at some of the hotels afterwards. Yes, I think I did.

*Q.* I am told you saw him three times. I do not know whether your memory is the same as my information?

*A.* I may have seen him half a dozen times, I do not recollect.

*Q.* You remember seeing him at the hotel?

*A.* Yes.

*Q.* Was that at the Queen's?

*A.* No, I think it was at the Rossin, I may have seen him at the Queen's too.

*Q.* Do you recollect at which hotel he was staying?

*A.* I think he was staying at the Rossin



Q. Do you recollect whether you first saw him at the Rossin or the Queen's?

A. I do not say that I saw him at the Queen's at all, but if my memory serves me right, I saw him at the House, I think in the corridor, he was passing by and shook hands with me. I think I saw him afterwards at the Rossin.

Q. Did you take any meal with him, or simply call upon him?

A. I did not take any meal with him.

Q. Simply called upon him?

A. Yes.

Q. Do you recollect what time of the day or evening it was?

A. I do not.

Q. Do you recollect what passed between you at that conversation?

A. Well I do not know as I do. I think we were talking something about the Mowat Government and the way they were getting on in the session. They were getting through pretty well to the end of the session.

Q. Was anything said about Mr. Mowat's supporters or followers, that they would bolt; do you recollect such an expression?

A. No, I do not remember that, but I think I said, chaffingly to Harcourt, that there were rumors that there was going to be a Coalition Government formed, and that he was going in it; I think I chaffed him about that, and I said, "If we have a new election in Monck, I think you can be elected without any trouble;" I was chaffing; I think there was something of that kind.

Q. And what did he say to that?

A. Oh, he just laughed at the idea.

Q. And how long before that was it that you had heard something about the Coalition Government?

A. Oh, I cannot tell you; it was a rumor; I don't know as anybody ever told me; I just said it chaffingly.

Q. Just a general rumor?

A. You might read it in the *Toronto Mail*; every day it said that Mowat must go, you know; I think that is about the conversation I had with Mr. Harcourt; of course Mr. Harcourt, if you subpoena him, will tell you all about it, if you ask him.

Q. But I think I am entitled to get it from you?

A. Certainly, and I tell you all I know and all my memory serves me.

Q. I was asking you how long before this was it that this rumor, whether it was vague or particular, had reached you about the Coalition Government?

A. I don't know as it reached me at all; I cannot say.

Q. You see you were informing him of the fact?

A. I say I told him chaffingly, to see if I could prove if there was anything in the rumor or not.

Q. Then you must have heard the rumor if you wanted to test whether it was true or not. Before you left Ottawa had you heard the rumor?

A. I cannot tell you whether I heard it before I left Ottawa, or whether I heard it after I came here, or whether I heard it some time before ; my memory does not serve me.

Q. Did you speak to him more than once about this rumor of a coalition ?

A. No, I did not.

Q. Did you speak to anybody else, except Mr. Harcourt, upon this rumor of a coalition ?

A. I may have spoken to a dozen ; may have asked a dozen if there was any truth in it.

Q. Do you recollect anybody besides Mr. Harcourt that you did ask ?

A. No.

Q. Just think that over and see ?

A. I do not remember ; I may have talked to a dozen about it, saying there was such a rumor, but I went and asked Mr. Harcourt.

Q. It doesn't do as much good to say it may have happened ; the question is whether it did or did not ?

A. I have no recollection just now ; if I had I would tell you.

Q. Just try and think if there was anybody else ?

A. I say I think it is like enough I may have talked to several, but my memory does not serve me just now that I talked to anybody in particular about it more than I have told you

Q. Then do you recollect more of the conversation that took place between you and Mr. Harcourt than you have mentioned ?

A. No, I do not think there was any more conversation on that subject, because you will understand me, I said to him, the rumour is so-and so-, and he pooh-poohed the matter ; and I said, " If that is the case, if you are going into the Coalition Government, there is no doubt you will be returned for our county by acclamation." I mentioned that to him, and he pooh-poohed the idea, that's all.

Q. You said you wanted to find out the truth of the rumor ?

A. Yes, I suppose that was it as much as anything else.

Q. And it was a mere question of idle curiosity on your part ?

A. It was not a matter of idle curiosity to me, I would be very glad to see it take place.

Q. Therefore it was a matter of interested curiosity on your part, asking the question ?

A. Yes, if it was true.

Q. And do you remember mentioning to any person what it was that Mr. Harcourt had said when you came to test it with him ?

A. No.

Q. Try and think that, now ?

A. I say he pooh-poohed the idea.

Q. Well, I say do you remember anybody to whom you mentioned the fact that Mr. Harcourt pooh-poohed the idea?

A. I may have done so; I tell you now that he said he did not believe there was anything in it.

Q. I want to carry you on a little further and see whom you met next about this; you see I have been obliged so far to tell you almost everything; it is now for you to tell me something?

A. I am very much obliged to you if you assist me in giving evidence.

Q. Yes, and I think I see you looking obliged; whom do you recollect seeing after you saw Mr. Harcourt?

A. That is, the first man I met that I would have any conversation with about this?

Q. Yes?

A. I do not recollect.

Q. Do you recollect to whom you first told the fact that Mr. Harcourt had pooh-poohed the idea of the Coalition?

A. I don't know as I told it to anybody.

Q. Sure?

A. Pretty sure, because I do not generally tell what takes place.

Q. Will you go so far as saying quite sure?

A. Well, I think I can; I think I did not say so to anybody that I remember of, not before this trial came on, any way.

Q. Well, without mentioning Harcourt's name, when you next met the boys did you say anything to them about the Coalition being out of the question?

A. Do you mean my boys or which?

Q. I do not know who your boys are?

A. Well, you ought to, they are very fine boys.

Q. Do you remember to whom after meeting Mr. Harcourt you said this Coalition was out of the question, or words to that effect, without mentioning Mr. Harcourt's name?

A. I do not remember anybody.

Q. Now I ask you whether, without mentioning Mr. Harcourt's name you said to any person this Coalition could not be carried on, would not be carried, or words to that effect?

A. I do not think I said it to anybody.

Q. Did you go the House after you met Mr. Harcourt, or before?

A. I told you I met Mr. Harcourt at the House before I saw him at the Rossin House.

Q. As a matter of fact do you recollect whether you told any of the boys that this Coalition could not be carried?

Mr. MEEK.—I submit it is hardly due to the position of a Counsel acting on behalf of the Crown to examine a witness in this sort of way; for instance, acting as Mr. Blake is, as Counsel for the Crown, it is not the proper course to badger a witness or to put words in his mouth as Mr. Blake is doing.

The CHAIRMAN.—I have not noticed anything of the kind, badgering or putting words in the witness's mouth; the witness seems pretty well able to understand the questions.

Mr. MEEK.—I submit that this way of conducting the examination is unprecedented on the part of the Crown—this badgering of the witness.

The CHAIRMAN.—I have not observed it.

Mr. BLAKE.—The observation of my learned friend must have arisen from his not observing closely, what originally goes on in Court.

The CHAIRMAN.—The object is to ascertain what the witness knows; I do not think Mr. Blake is going any further than he is justified in trying to do that.

Mr. MEEK.—There is a well understood rule for conducting cases by Crown Counsel, and I think Mr. Blake has overstepped the limit.

The CHAIRMAN.—I do not think so.

WITNESS.—Go on, Mr. Blake, I want to answer your questions and go home; I will try and protect myself—tell you all I know about it and go home.

Mr. BLAKE (To witness).—Q. You repudiate the badgering?

WITNESS.—A. Oh no, I do not.

Mr. BLAKE.—Q. You must admit that I have helped you a good deal in your evidence in the box, to this conversation with Mr. Harcourt, and what took place, you have been wonderfully refreshed; and now, do you recollect what day it was you had this meeting at the Rossin house?

A. I do not.

Q. You left here on Saturday—now, would it be on Friday?

A. I think it would be either the Thursday or the Friday—I think I can say that.

Q. And therefore if that was so, you must have been at the House either on the Wednesday or the Thursday, that is, if you were at the House before you saw Mr. Harcourt?

A. I have given evidence to that effect; of course I am not positive whether I saw Harcourt at the House or not, but my memory is that I met him casually in the corridor, and shook hands with him; afterwards I called upon him at the Rossin, either on the Thursday or Friday, I think.

Q. And do you recollect whether these meetings that you have spoken of with the members were prior to this conversation with Mr. Harcourt or after?

A. Which meetings?

Q. You stated that you saw Mr. McKim, and you think shook hands with him, and you mentioned that you spoke probably to the members of the Government, and all that, and I ask you whether your meetings with any of these members were after you had been speaking with Mr. Harcourt at the Rossin House, or prior to that?

A. I think when I spoke to Mr. McKim and those gentlemen I spoke of here, I think it was previous—when I was up at the House. It must have been.

Q. Do you recollect, then, after your conversation with Mr. Harcourt, meeting any members of the House that you can recollect?

A. I have no recollection particularly.

Q. And you have no recollection therefore of having mentioned to any one any idea about this Coalition Government?

A. No, I am satisfied, whatever conversation took place between Harcourt and me, that I did not mention it to anybody, because there was nothing to mention.

Q. Except what you have stated?

A. There was nothing in that.

Q. Well, it was some repudiation of this idea of a Coalition Government?

A. Yes.

Q. Have you known Mr. Harcourt any considerable time?

A. Yes, known him for years, ever since he was a boy.

Q. And he did not say anything in that conversation to lead you to suppose that he was anything but loyal to his Government and his party?

A. He did not mention his loyalty. He pooh-poohed the idea.

Q. Was there anything in his conversation except pooh-poohing the idea?

A. We did not say anything about loyalty to the Government or his party. He pooh-poohed the whole idea.

Q. During the conversation, was there anything that took place between you excepting this pooh-poohing the idea of a Coalition Government?

A. No, except what I have told you.

Q. And no assent on his part, and no disloyalty on his part to Mr. Mowat?

A. No.

The Commission took recess at 1.30 p.m.

The Commission resumed at 2.30 p.m.

JOHN MORRISON GIBSON, called by Mr. Blake, and sworn.

Q. You are a member of the Legislative Assembly of Ontario for Hamilton, Mr. Gibson?

A. Yes sir.

Q. And have been so for what period of time?

A. Since 1879.

Q. Were you present at the last session of the Legislature?

A. Yes sir.

Q. During the whole of the major part of the session?

A. Present during the whole session—of course absent occasionally.

Q. You were there during the first two weeks of the session?

A. Yes sir.

Q. Did you hear any talk of any member being approached during the earlier portion of the session?

A. Yes.



Q. About how long after the 23rd of January would that be?

A. That was the opening day, was it?

Q. Yes, the 23rd was the day that the House opened?

A. During the debate on the Address I understood there were advances being made.

Q. Was there any advance made towards one of the members for Hamilton?

A. There is only one member for Hamilton. I do not know that I could say there was an advance made. A member of the Opposition spoke to me.

Q. An approach preceding an advance?

A. I do not know.

Q. Well, a little conversation?

A. A member of the Opposition suggested to me the desirability of some of the Government side of the House uniting with Mr. Meredith.

Q. Mr. Gillmor has given us the dates—the 23rd of January the opening, the 6th of February the first vote?

A. This was on Friday of the first week.

Q. Do you remember the day of the week the House opened, for we have not got that?

A. I do not.

Q. At all events, it was on Friday of the first week?

A. I can tell you why I recollect that so well. The reason is that after the conversation, I immediately went into the House and asked Mr. Hardy if the debate would be continued over till Monday. He said yes, and I replied, "Because I want to speak on the Address," a thing I was not in the habit of doing in previous years.

Q. Then, where was it that the advantage of a Coalition was presented to you?

A. In the smoking-room.

Q. And by what member was it?

A. Well, I would rather not mention the name if it is not material. He was certainly a pronounced member of the Opposition.

Q. Of the Conservative party?

A. Yes.

Q. And did he alone speak to you upon the advantage of a Coalition?

A. While he was speaking to me Mr. Bunting came into the smoking-room, sat down with us, and the gentleman then left, leaving Mr. Bunting and me together.

Q. The gentleman left, and left only Mr. Bunting and you?

A. Yes. What took place between me and Mr. Bunting amounted merely to his expressing the opinion that the time had now arrived when parties should unite in this Province—that there were no dividing questions—no questions upon which parties need stand divided or in the same position of antagonism as previously, the Boundary Award being in a fair way of being settled. I disputed what he said, by stating that I considered that in the matter of Provincial rights there certainly was an important question upon which the parties were opposed to one another.

Q. And did he suggest to you that the Coalition should extend to the Ottawa Government as well as to the Ontario?

A. No.

Q. Did you suggest it to him?

A. No. The conversation between Mr. Bunting and myself was very brief. He appeared to take up the conversation at a point where the other gentleman left off; and, not wishing to discuss the matter with him, I said, "I think the Speaker is in the chair," and I left and went into the Chamber.

Q. Then did you hear of efforts being made, or probabilities or possibilities as to certain members being approached?

A. Yes.

Q. How long did that last from the opening of the session?

A. Well, I think it lasted until nearly the day of the vote on the Address. I am not sure whether it lasted until the end of the debate or not. I think before the vote was actually taken there was a cessation.

Q. But you think it came nearly up to that period of time?

A. Yes. We certainly considered that we were being besieged. I, as one of the members of the Government party, had that idea.

Q. You thought you were travelling from Jerusalem to Jericho until about this time, and then you thought you were in better ground, and that continued how long, the idea of cessation?

A. Until that first vote was taken.

Q. How long did it continue after that vote?

A. Until near the end of the session—that is to say, from that time till near the end of the session there appeared to be no serious efforts made to create a diversion.

Q. The announcement by the Attorney-General was made on the 17th March. How long preceding the 17th March had these advances been renewed?

A. I could not say precisely. You mean such advances as those made to McKim, Balfour, and so on.

Mr. BLAKE.—Yes.

A. I could not say precisely, but several days before that I knew about these things being done.

Q. So far as you yourself are personally concerned, was there any further advance made?

A. I had a talk with Mr. Kirkland, or he had a talk with me, in the Rossin House, where both he and I were staying. He was there during the whole of the session, or nearly the whole of the session, and of course I met him there frequently.

Q. About how long before the 17th was it that you had your talk with him?

A. I could not say, but I think it must have been two or three days before that.

Q. And what was the statement Mr. Kirkland made to you?

A. Mr. Kirkland took me aside in the hall of the Rossin House, and said he wanted to ask me whether such a thing would be possible as that a member who received a fee for making a speech on a question of policy, on behalf, for example, of another member of the House who did not feel able to speak. He said that on the other side such things were quite in order. I am not using his precise language.

Q. When you say the other side, do you mean the other side of the House, or the other side of the line?

A. The other side of the line. I said that such a thing in this country was unknown, or were anything of that kind to occur, that people were apt to get into trouble. And he then said, that supposing I made a speech in favor of a timber policy resolution, even though I voted in whatever way I might like, and a counsel fee were offered of one, two, three, four, or even five thousand dollars, would there be anything very wrong in that? These are nearly his words.

Q. Was it an abstract question of morals he was presenting to you?

A. My answer was, I said, "Mr. Kirkland, to entertain any such idea would simply mean to kill one's reputation as a politician forever in this country?" He accepted that as a sufficient explanation of my views, and there was little or nothing more said on that occasion.

Q. Did you meet him again?

A. I saw him, of course, from day to day. I cannot say that I met him to have a conversation with him about that matter.

Q. Was Mr. Bunting frequently at the House during the first couple of weeks of the session?

A. Yes.

Q. When you say frequently?

A. I mean unusually frequently.

Q. Did you know Mr. Wilkinson?

A. No.

Q. Mr. Meek?

A. I have seen Mr. Meek in Court.

Q. You were not introduced to him as the Solicitor of the party?

A. No.

Q. Then had the Government a definite timber policy, Mr. Gibson?

A. They had a policy, but not a policy of that session, that I am aware of.

Q. But still it was a policy of the session preceding?

A. Oh, they had a permanent timber policy.

Q. And did Mr. Kirkland so present his scheme as that you would say that it was opposed, inimical to the Government policy?

A. Not on that occasion. In previous conversations with Mr. Kirkland, he had explained to me what he wanted.

Q. So that you had previous conversations with him?

A. Oh yes, of a casual nature.

Q. And he had presented what he wanted, and had you avowed what your feeling was?

A. Well, I cannot say that I had given the matter any particular consideration. There were some of Mr. Kirkland's views which appeared to me reasonable enough—that

is, views which might be reasonably urged to the Government in favor of a change in their policy—there is no doubt of that.

*Q.* But what was your view of the scheme as a whole, as compared with the policy of the Government?

*A.* I do not know enough about the matter to have a view worth calling a view.

*Q.* Then these were the only occasions on which there was anything said to you as to the coalition or voting?

*A.* Those were not the only occasions. I have been spoken to on other occasions by Conservatives, but not around the House. I have been spoken to on several occasions by Conservatives in Hamilton, for instance, in this way: "There is going to be a change of Government, and we want you to go in with Mr. Meredith."

*Q.* Was that during the session?

*A.* Yes.

*Q.* Did Mr. Bunting or the other gentleman who spoke to you go as far as to mention who were to be the members of the Coalition Government?

*A.* No. Mr. Bunting did not go into any particulars about the Coalition Government. The gentleman who spoke to me before he did, had the principal part in that conversation. Mr. Bunting sat down, and the other gentleman left. Mr. Bunting then commenced to speak about the desirability of a change in this Province, instead of party lines being so severely drawn, and so on. I differed from him in some of the views expressed about the occasion of the separation of parties, and then got up and left, and that was about the whole thing.

*Q.* And these were the only persons about the House that spoke to you about the coalition, and this is the only offer that was made to you in connection with it?

*A.* Yes.

*Q.* And the only offers you are aware of personally having been made?

*A.* Yes, personally. Of course I had heard. I was aware of what was going on. I was one of those who knew of the approaches made to the other members of the House immediately after they were made and before the announcement in the House. There were members on the Government side besides the members of the Government who knew what was going on, and I was one of those who advised that matters should be allowed to take such a shape that it might be considered tangible enough to take hold of it.

By Mr. MEEK.—*Q.* I just want to ask you one question. You say one of the members spoke to you, whose name you do not want to divulge?

*A.* I would rather not divulge it.

*Q.* I merely wish to ask: it was not any of the parties who are accused in this Commission of inquiry?

*A.* Oh, no.

*Q.* And you say that gentleman did all or nearly all the conversation?

*A.* Yes, I think I have given the substance; I think I have given the purport of the whole conversation both of him and Mr. Bunting.

*Q.* I never met you, Mr. Gibson, until to-day?

*A.* No, I do not think we have been introduced. I have seen you in Court on more than one occasion.



By Mr. CASWELL.—Q. Do you think it wrong for a member to speak to you in that way?

A. No, I do not see anything serious in that.

Q. You would not think it wrong for a politician on the other side to speak to you if he was in favor of a coalition and he could convince you there would be one gained?

A. Certainly.

Q. There would be nothing wrong in that?

A. Certainly not. I did not consider it wrong. I would have remained with Mr. Bunting but that I thought there was a general movement along the whole line.

Q. Besides Mr. M'Kim, Mr. Balfour, and Mr. Dowling, these three, have you heard of any others who were approached in the way of offers of money or otherwise?

A. Dr. Cascaden, I heard, was approached.

Q. Yes, he is the other; well, besides those four?

A. I do not know that I have.

Q. So that it was not a very general thing along the line; it was confined to those four, so far as you know?

A. Yes, that kind of an attack.

Q. I suppose the other offers were not more than such as were made to you?

A. I do not know.

Q. Well, so far as you understood?

A. Probably.

Q. You say the conversation with Mr. Kirkland took place in the hall of the Rossin House?

A. Yes.

Q. He did not offer you any money, did he?

A. Oh, no.

Q. He was just asking you if such a thing was allowed in this country?

A. Yes.

Q. And you answered him as you said, and the matter dropped, I suppose?

A. The matter dropped.

Q. Previously, you say, he had mentioned the change he proposed in the timber policy to you?

A. Yes, I knew what he was desiring to secure.

Q. You understood, I suppose, that it was not a change simply in his own interest?

A. Oh, I do not suppose he would expect the Government to make a change of policy simply to meet his individual views.

Q. Well, did he seem more anxious to have the matter discussed than to have a view taken on the matter?



A. He was anxious to do something or other; he had been there the whole session without doing anything, and he did not want the session to close, I think, without having some rumpus or other on the timber question.

Q. More in the nature of a discussion; he did not want any further trouble?

A. I do not think he wanted such a *denouement* as took place.

Q. You do not know that he wanted anything more than the matter discussed

A. He made use of strong language sometimes about the obstinacy of the Government.

Q. One member of the Government, wasn't it?

A. I suppose one member of the Government meant the Government, if that member had charge of the department he was seeking to influence.

Q. But did he speak personally in that way of any member of the Government, except this one?

A. No.

The CHAIRMAN.—That is Mr. Pardee, I suppose?

A. Yes, my lord.

Mr. CASWELL.—Did he explain to you the nature of the change he desired?

A. I think he did partially sometime during the session.

Q. Could you tell us?

A. No; I could not tell you accurately, at all events, and I would rather not tell you at all.

Mr. MEEK.—You say, Mr. Gibson, that you heard that Dr. Cascaden had been approached. When did you hear that?

A. I heard that from Dr. Cascaden, I think, on the Monday evening after, I think, on the very day that he was approached first.

Q. Can you tell me about the time he told you?

A. No, I cannot, but I would say almost certainly that it was either on the Monday or the Tuesday, and I will tell you the reason why.

Q. As a matter of fact, you do not know whether he was approached or not?

A. Oh, no.

Q. I am simply asking when he told you?

A. I think it was shortly after I finished my speech on the Monday afternoon.

Q. When was that?

A. The first Monday of the Session.

Mr. BLAKE.—Wednesday is the 23rd of January.

WITNESS.—My recollection is that I spoke on the address on the following Monday, that is, the first Monday in the Session, and either on that same day, or perhaps the next day, Dr. Cascaden told me.

Mr. MEEK.—Q. That would be the 28th or 29th of January?

A. Yes.

Q. And you are positive that is the time?

A. I would not be very positive, but I think it was shortly after I had spoken that he spoke to me and told me.

Q. Then he did not speak to you until after you had made your speech?

A. No.

Q. Did he give a reason why he spoke to you?

A. Yes.

Q. What was the reason he gave?

A. The reason was that while I was speaking he went out, and Mr. Bunting came out to where he was—I think there were some others there also—and that Mr. Bunting had stated to him that I was making a thoroughly independent speech, as probably the opening remarks of my speech might indicate.

Q. Well, I suppose it was an independent speech, it was giving your own views?

A. Yes, but independent, I suppose, in the sense that I might not be considered a servile supporter of the Government. And then he related what had taken place between him and Mr. Bunting, and stated when he came into the House that I was delivering myself in the true orthodox style of a true Government supporter, or words to that effect.

Q. Will you try and recollect, Mr. Gibson; will you tell me what he did tell you?

A. I cannot tell you precisely what he told me.

Q. I mean apart from the evidence; this evidence has been printed a good many times?

A. I have read the Doctor's evidence.

Q. A great many times?

A. No, I read it once, and that accorded with my recollection of what he said at the time I read it, but I am not going to attempt to repeat to you now verbatim what he said to me.

Q. Did he tell you where it had occurred?

A. I think he said in the refreshment room.

Q. Of the House of Assembly?

A. Yes.

Q. Did he say that any person else was present?

A. Yes, there was some one else present, I do not remember who it was. I am not certain whether it was not yourself; I am inclined to think it was you and Mr. Bunting.

Q. I mean did he say there was any person else present besides Mr. Bunting?

A. I do not remember.

Q. Did he have a long conversation with you about it?

A. No, not very long; I do not think I was the only party to the conversation; I think there were several of us standing around.

Q. Who were the other parties who were standing around?

A. I do not know ; I do not remember.

Q. Was he joking about it, or did he treat it as an earnest matter?

A. He seemed to be pretty indignant.

Q. He has usually that manner of expressing himself, has he not?

A. No, he is rather pleasant.

Q. Is he?

A. Yes.

Q. That is your experience of him?

A. I think the Doctor has rather a pleasing style of address.

Q. Did the Government, after these remarks had been made to you—did any of them tell you to proceed?

A. No, I did not state before, but I want to state that I immediately informed one of the members of the Government of the conversation that took place between Mr. Kirkland and myself towards the end of session.

Q. And that member of the Government did not ask you to go on?

A. No, he did not.

Q. And if he had, should you have gone on?

A. No, I certainly should not.

Mr. BLAKE.—Q. You say Dr. Cascaden came in, and what was it he mentioned to you?

A. He mentioned to me what had taken place out of the Chamber while I was speaking, as I understood,

Q. Something that had taken place between Mr. Bunting, Mr. Meek and yourself?

A. Yes, I am pretty sure Mr. Meek was one of them—certainly the Doctor, and Mr. Bunting, and I may say certainly also Mr. Meek.

Q. And he came in in an angry tone?

A. Yes, repeated that he had used very violent language when he left them—that he left suddenly.

Q. Then you say that Mr. Bunting was more frequently at the House than usual, he had been to the House other sessions?

A. I certainly so considered it.

Q. And it was in reference to his attendance at other sessions that you say more frequently?

A. Yes,

Q. And when you say more frequently, what do you mean?

A. I mean to say that Mr. Bunting seemed to be taking a very special interest in the House at the beginning of the session, and that his interest waned very much, and then towards the end of the session I thought his interest was renewed ; I think any member of the House must have noticed it.

*Q.* You do not seem to be quite certain as to whether you spoke on the first or the second Monday?

*A.* Now, I might be mistaken about that; it certainly was on Monday; I do not know now how long the Address lasted.

*Q.* It lasted until the 6th—there was nothing done on the Wednesday when the House opened, or on the Thursday?

*A.* Now you have spoken, I think it must have been on the second Monday; quite a number had spoken, and I did not intend to speak.

*Q.* Monday was the 4th of February, and that as a matter of fact is the day on which you did speak?

*A.* The papers will show, I suppose.

THE CHAIRMAN.—Dr. Cascaden said that the approach was made on the 28th or 29th of January, and if he told Mr. Gibson immediately after, and that would be the first Monday.

WITNESS.—The reason I say it was Monday was because I enquired of Mr. Hardy whether the debate would last until Monday, and I know I spoke as soon as I got the opportunity on Monday afternoon.

Mr. BLAKE.—Did Dr. Cascaden speak to you twice upon the subject of his being approached?

*A.* I fancy he spoke to me on more than one occasion, but I have been referring to the first occasion he spoke to me.

Mr. MEEK.—I think that is hardly fair to suggest to the witness about speaking twice.

The CHAIRMAN.—That is no suggestion.

Mr. BLAKE.—I ask him whether he did as a matter of fact.

Mr. MEEK.—The object of it is very clear; he has stated what you think to be wrong, and you want to correct him.

Mr. BLAKE.—No, I do not know whether it is right or wrong, but all I ask is whether Dr. Cascaden had spoken to you more than once or not upon what had occurred.

WITNESS.—Yes, certainly; I have no doubt he spoke to me half a dozen times.

*Q.* Correct me if this is incorrect—that on the day you spoke on the Address Dr. Cascaden told you that Mr. Bunting had on the same day spoke to him, and that he had parted from him angrily?

*A.* Yes; I do not say whether it was the first or second Monday.

Mr. MEEK.—Are you also positive that Dr. Cascaden mentioned that Mr. Bunting and Mr. Meek were present, and some others?

*A.* I do not know about some others.

*Q.* But Mr. Bunting and Mr. Meek?

*A.* Yes.

Q. You are very positive about that?

A. I have been saying every time that I have spoken about this, I am pretty certain Mr. Meek—Bunting, certainly—and as to whether he said some others, I won't say.

Q. Are you now sure, or are you not, that was on the first or second Monday of the Session?

A. No, I am not absolutely sure.

Q. And you are not sure whether you heard all of the story from Mr. Cascaden on the first occasion or on some subsequent occasion?

A. Oh, I do not know whether I heard it all or not.

Q. All the story of his being approached?

A. I would not say I heard it all; I heard the substance of it, I think.

Q. Are you sure about that?

A. Well, I do not know that I am sure of that, because it is very difficult to say what constitutes substance and what does not in such a matter.

Q. Well, was it about the conversation between you and Mr. Bunting that he told you on the first occasion, or was it his conversation with me—I wish you to try and recollect and tell me which it was?

A. I do not remember whether he made any distinction or not as to with which of you his conversation took place; I think he must have done so, but I do not pretend to give you the occurrence.

Q. You cannot recollect which it was, or whether it was both?

A. Or whether it was both.

Q. But your impression is that he coupled two of us together in that interview?

A. I think that both were spoken of.

Q. As having been together?

A. Well, I am not going to be any more emphatic than I have been about it. I told you my recollection.

Q. But I do not quite understand whether you mean that he spoke of Mr. Bunting and myself being present at the time Mr. Bunting spoke to him, and that that is what he spoke to you about on the first occasion he did speak to you?

A. He certainly spoke of Mr. Bunting speaking to him, and you being there also—I do not know whether you being there, or you coming there.

Q. That is what he did speak to you about in the first conversation?

A. Yes.

Q. And do you remember any other occasion on which he spoke to you?

A. He spoke to me several times about it, but these conversations were of a casual nature—I did not burden my memory with what he said about it.

Q. When you say he was indignant, was the indignation in reference to Mr. Bunting and myself?

A. I do not know. The idea he gave me was this, that either you or Mr. Bunting on the occasion in question were approaching him, or wanting to influence him improperly, and that he immediately made use of strong language, and turned his back upon you and left. That is the impression I have.



Q. And the impression on your mind is that he had reference to me ?

Mr. BLAKE.—You do not assent to that, Mr. Gibson ?

A. Oh no.

EPHRAIM GEORGE SILLS, called by Mr. Blake, and sworn :

Q. You are a member of the Local Legislature for West Hastings ?

A. Yes.

Q. And you were a member during last session ?

A. Yes.

Q. Did you hear of any advances being made to any members supporting the Government ?

A. Well, of course I heard general rumors of advances being made to members, but nothing positive, nothing which I could call tangible until, I think, the 17th of March, when it was announced.

Q. Were there any advances made to you ?

A. Well, there was a member of my constituency, a Conservative, who requested me to vote against the Government, giving as a reason that there were sufficient of our friends who would vote against the Government to defeat them, and as a friend of mine he did not wish me to be in a false position, as he thought.

Q. In a position to throw your vote away ?

A. Yes.

Q. Would you care about giving the name of this friend ?

A. No. I at once told him when he made that suggestion, " Well, I cannot advise you to say anything further."

Q. That was your answer ?

A. Yes ; I advised him to say nothing further ; he said also, it would be an advantage to me in another election.

Q. Did he state what kind of an advantage ?

A. Well, it would give me support that I did not get at the last election.

Q. About what date was this ?

A. It was the night, if I remember, that the vote was taken.

Q. The vote was taken on the morning of the 6th ?

A. Yes, this was the evening of the 5th.

Q. It was getting near the vote ?

A. Yes ; I told him I would not vote against the Government on the Address at all events.

Q. From that time onwards were you aware of anything further in the shape of advances ?

A. Well, there was another party who asked me to vote for a certain resolution to be introduced in the House regarding the timber policy of the Government ; I asked him

the nature of the change which was proposed, and he said he could not tell me; well, I said then it is very singular to ask me to pledge my vote on a subject which you do not know would be beneficial or detrimental to the province.

By the CHAIRMAN.—It was to be given against the present timber policy of the Government?

A. Yes.

By Mr. BLAKE.—Q. What was the reply to that?

A. He said, well, I cannot pledge you the party vote, but I will pledge you my own support and influence for another election.

Q. Was that the same member of your constituency?

A. No, it was another.

Q. A Conservative?

A. Yes.

Q. And he was to pledge his own vote if you would assist?

A. Yes.

Q. Was there any further approach?

A. Nothing further. Of course the party referred me—he said if I wanted further evidence as to his sincerity he would refer me to other members of the party who would endorse what he said.

Q. About what date was that?

A. This was somewhere about the last of the session—I think the last week of the session.

Q. Was it before the 17th of March?

A. Yes, it was the week preceding the 17th of March.

*Cross-examined by Mr. Caswell:*

Q. This person—of course I do not ask any of these names—was not any of the persons charged?

A. No, I am not at all acquainted with any of the parties except Kirkland, with whom I had a little acquaintance. I did not know the others, and do not know Bunting even by sight. Mr. Meek I did not know until to-day.

Q. Well, I suppose there was nothing wrong in a man asking you to change your vote? Did you consider it so?

A. Well, I considered the manner in which it was put, that he meant to defeat the Mowat Government.

Q. Well, I suppose any change of vote from the Government side to the other would approach that?

A. Yes.

Q. But I am not asking you to change your vote, but would you consider it wrong

A. Well, under the circumstances, I did not consider it any great compliment.

*Q.* Suppose you went to a man who had hitherto opposed you in your constituency, and asked him to support you, would that be a great injury to him?

*A.* There is a difference. I was elected by 1,500 men, while that would be simply one. I would be selling my whole constituency, while I would be asking him perhaps as a personal favour to me.

*Q.* Would not any elector in your county have a right to ask you to vote for or against any particular measure, and you would not feel insulted?

*A.* Not if it was done in a manner which I did not consider would be betraying my trust.

*Q.* You haven't mentioned anything except that the second gentleman offered to give his vote for yours?

*A.* There is more in that second case than I feel at liberty to state.

*Q.* You consider it different from asking an elector to change his vote?

*A.* Yes, from the fact that I was elected to support a certain policy.

*Q.* Do you understand when you are elected that you are simply elected to support the Government?

*A.* No; but if any policy does not recommend itself to me as being beneficial to my Province, then I feel I have a right to change my vote.

*Q.* And vote against the Government if you do not approve of them?

*A.* Certainly.

*Q.* You would feel at liberty to do so?

*A.* Certainly.

*Q.* And surely a man is not elected to support a particular Government?

*A.* Oh, no; but when he is elected by his constituency he is supposed to carry out the views of his constituents. In that election they said by electing me that they considered that the policy of the Government, as indicated in the boundary award, the Streams Bill, and other public matters, were right, and on those terms I was disposed to support them.

*Q.* Then of those public measures, the timber policy was not discussed at all?

*A.* Yes, to a certain extent.

*Q.* To what extent?

*A.* To this extent: that it was contended by the Conservative party that a certain amount of the timber should be left on the land for the settler. The Reform party contended that there was enough after the lumbermen took what was sufficient for shipping, for all the settler required, and at the same time the settlers have a right to take all they require for any purposes they want for five years.

*Q.* On that particular point there was a difference of opinion?

*A.* Yes.

*Q.* But in reference to selling the timber along with the soil, was that question up?

*A.* No.

*Q.* Well, if that matter were brought before you ?

*A.* Well, if it were brought before me, I would feel at liberty to consider whether it was in the interest of the Province or not.

*Cross-examined by Mr. Meek :—*

*Q.* As a matter of fact, you do not know who elected you ; Conservatives may have elected you ?

*A.* I certainly received a large number of Conservative votes, for which I am very thankful.

*Re-examined by Mr. Blake :—*

*Q.* What was the first proposition made to you as to your vote ?

*A.* Well, I was asked to vote against the Government on these grounds : that there were sufficient of our own friends who intended to vote against the Government to defeat them. He wished me to vote with the Opposition, as he said he did not wish me to be buried in the ruins ; that there had been charges made against the Government, which could be substantiated, and that no honourable man could support them if these charges were proved.

*Q.* Did he present anything further to you, anything about a seat in the House of Commons, on that occasion ?

*A.* There was something said, but it was so indistinct that I really could not say positively that it was so. Knowing the man to be a personal friend I just stopped him there, and said "I do not want you to go any further."

WILLIAM C. CALDWELL, called by Mr. Blake and sworn.

*Q.* You are a member of the Local Legislature ?

*A.* Yes.

*Q.* For what constituency ?

*A.* North Lanark.

*Q.* Were you during the last session of the House ?

*A.* Yes.

*Q.* Did you see Mr. Kirkland about the House ?

*A.* Yes.

*Q.* Where did you board ?

*A.* At the Rossin House.

*Q.* Did you see him frequently ?

*A.* Yes, I saw him very frequently there.

*Q.* And at the House of Assembly ?

*A.* Yes, occasionally, but at the Rossin House I saw him almost every day.

*Q.* Was he there during the whole session ?

*A.* Yes, I think so.

Q. Had you ever any conversation with him ?

A. Yes.

Q. You are in the timber business ?

A. Yes.

Q. Had you any conversation with him on the timber policy or the timber business ?

A. Yes, he spoke to me about the present timber policy.

Q. On more than one occasion ?

A. Yes, on different occasions.

Q. Was there on the part of the Government a defined timber policy ?

A. Yes, but what Kirkland wanted was a change in the Mining Act. He spoke to me about timber lands being near Port Arthur and that section, and he said the pine was small and not of a very good quality, and there was no soil of any account ; it was mostly rocky and covered with moss, and as there was a great deal of mining in that section the miners in making examinations over the country would make fires, and these fires were left to run over the country and destroy the timber. He thought the Act should be amended so that the Government should sell the timber along with the land ; that it would be better in the end for the Government and the country.

Q. You discussed that with him ?

A. Yes, he spoke to me about it. My opinion was that the present policy was the best.

Q. That is the policy of the Government as it stood ?

A. Yes, a license policy.

Q. Did he ever say anything to you about a resolution being introduced in the House on the point ?

A. I think he said if the Government would not agree to that, a resolution might be introduced, or would be introduced, I do not recollect which, asking that the Act should be amended.

Q. Did you say anything further about the resolution, and if so what ?

A. I do not recollect particularly about Kirkland's saying anything more about the resolution, because further on in the Session, Kirkland and I did not meet so frequently—that is to speak.

Q. Did you hear of a resolution to be introduced ?

A. I saw a resolution which purported to be one which would be introduced.

Q. About what period in the session did you hear that ?

A. Well, that would be towards the end of the session.

Q. The 17th was the day the matter was made public ; how long before that was it that you saw the resolution ?

A. Well, it might be a week or ten days, possibly not so long.

Q. Somewhere in that neighbourhood ?

A. Yes.



Q. In whose hands did you see it?

A. I do not recollect which of the members it was handed me the resolution, and asked me what I thought of it.

Q. Could not you think who it was?

A. I do think, but it would be just a ——

Q. What is your best thought on it?

A. Well, my thought might not be correct.

Q. Well, to err is human, but what do you think?

A. I think it was Mr. Lyon, the member for Algoma, who shewed me the resolution.

Q. Was that the resolution which carried out the intention of Mr. Kirkland?

A. It was to the effect that the lands should be sold under the Mining Act, conveyed with all the timber and land without reservation.

Q. And that was the thought that Mr. Kirkland had?

A. Yes, and I have told you the reasons he gave for it.

Q. Then no offer was made to yourself?

A. No.

Q. You do not know anything further about the matter than what you have mentioned?

A. Nothing more than hearsay.

*Cross-examined by Mr. Caswell.*

Q. Kirkland explained the change he desired?

A. Yes.

Q. You did not approve of it?

A. No.

Q. You are a lumber dealer in the eastern part of the Province, and have timber licenses from the Government?

A. Yes.

Q. So that your interest would not be the same as his, that is, you would not on business principles agree with him?

A. If I were to speak, as a lumber man, I would agree with him, for as a money matter it would be better for to purchase in that way than under the present system.

Q. Would his plan bring as much revenue to the Government?

A. I think not.

Q. Did he indicate any price at which he wanted the land sold?

A. Well, lands are sold now at \$1 under the Mining Act. I do not recollect that any price was mentioned.

Q. Now, what is the highest price given per square mile under timber license at auction?

A. Well, the highest I ever paid was \$1.50 per acre, and I had the dues to pay as well. I think they have been sold at \$2 an acre, which would be \$1,280 per mile. I have paid \$1.50 per acre myself at auction.

Q. Which is about as low a price as you have heard of?

A. I really could not say, but I suppose it has been sold very low because there are some lands which are worthless.

Q. As low as fifty cents?

A. Yes, lower; there are lots of lands which are not worth that. There is this about his plan, that if you were buying mineral lands and timber as he desired, you would not be buying in blocks. If limits are put up as you buy, say 100 square miles, or a township of thirty square miles, at so much per mile for all the land in that block or township, but under the Mining Act you would pick out a piece of timber land and pay so much per acre.

Q. Well, you would have to make a survey at your own expense?

A. The Government have generally got these surveys made.

Q. Not under the Mining Act?

A. Yes, I have bought under the Mining Act, and they were surveyed.

Q. But take the unsurveyed districts such as these lands were; take those Townships of Pardee and Neebing?

A. Well, that coming under the Mining Act, would apply to the Province generally.

Q. But the Mining Act only applies to the Province north of the Mattawan?

A. I take that to be a mistake.

Q. Well, the Statute says so?

A. I have bought under the Mining Act in North Lanark.

Q. Does the Mattawan empty into the Ottawa below that point?

A. No, it would be north and west of where I am.

Q. You would be below where the Mattawan empties?

A. Yes.

Q. That may have been before the Statute was changed. You don't know anything about the survey?

A. No; if I, as a lumberman, was going to buy under the Mining Act, I would, of course, get the best timbered and buy it; if I buy at a sale I have to buy a whole block or township, and pay so much for the whole thing.

Q. But if you buy under the Mining Act, the Government would have the right to fix a price of not less than one dollar per acre under the present Act?

A. Yes, and they can make an upset price for the lands at sales as at present.

Q. Well, at present the settler has a very poor chance, but I suppose we had better not discuss that. Did Kirkland say anything about the Commissioner of Crown Lands?

A. He spoke to me about the second or third day that I was at the hotel, and a week or ten days afterwards; at all events, he gave me to understand that this was the only question that he came here for, that he came down to try to secure these lands and

have this change in the Act ; I said, " Kirkland there is no use in waiting for that, you can find it out in five minutes by going and seeing Pardee ; there is no use in changing a policy we have had so long." I offered to go with him, and he said that a deputation was going on Saturday and asked me to go with them ; I said I was going home and would not be back till Wednesday ; he said he would wait, and I said no, for him to go in with the deputation, and find out for himself ; when I came back I asked him if he had seen Pardee and he said no ; I offered to go with him and Mr. Lyon, member for Algona, but something turned up and Lyon did not appear ; I spoke to Pardee myself, and he was very decided as to keeping the present policy ; that there was no use in changing.

Q. He was not in favour of a change ?

A. No ; I told him what Kirkland wanted, and asked him what he thought of it.

Q. Naturally, you did not advocate it strongly ?

A. I did not advocate it at all ; I took the other ground.

Q. Kirkland never made any approaches to you ?

A. No.

Q. And always acted in a gentlemanly way to you ?

A. Yes.

*Re-examined by Mr. Blake :—*

Q. About what time was it when you saw Mr. Pardee, and he gave this definite answer to Kirkland and yourself ?

A. Well, it may have been three or four weeks after the House opened ; I think it would be probably four weeks ; it would be fully four weeks, because I went home before that time.

Q. Then he saw there was no use discussing a change with the Government ?

A. I should say so, because Mr. Pardee was pronounced.

*Cross-examined by Mr. Caswell :—*

Q. Do you know in whose handwriting the resolution was which you saw ?

A. No, it was handed to me, and I was asked what I thought of it ; I asked who would be fool enough to bring it up in the House ; I was not told the person, but it was to be brought up, it was said.

Q. Did Kirkland ever say to you to propose an Act to amend the Mining Act ?

A. No.

*Cross-examined by Mr. Blake :—*

Q. Did you make any reply to Mr. Lyon about who was fool enough to bring the resolution up in the House ?

A. No, I did not say it was Mr. Lyon ; I did not swear it was Mr. Lyon.

Q. You think it was ?

A. Yes.

Q. You opposed the policy proposed by Kirkland ?

A. Yes.

*Q.* When did Kirkland first speak about it?

*A.* I think the next day after I arrived in Toronto.

*Q.* When did you arrive?

*A.* I think the day the House opened.

*Q.* Was Kirkland here then?

*A.* Yes.

*Q.* That would be the 24th or 25th January; when did Mr. Lyon speak about it?

*A.* What do you mean.

*Q.* The gentleman whom you think was Lyon—when did he speak about the resolution?

*A.* Well, that was towards the end of the session.

*Q.* Had you had any discussion with any person about it in the interval?

*A.* Well, I had spoken to Mr. Pardee, as I said, but there was no discussion.

*Q.* Personally, you thought there were some good points about the policy and seemed to be in favour of them?

*A.* No.

*Q.* You were in favour of a change?

*A.* No; I said that looking at my own interest as a lumberman I could make more money in that way, but if I made it, the country would not make it.

*Q.* That is what I say, personally you would be as a lumberman in favour of a change?

*A.* Well, if I answered in that sense it would be conveying what is not my meaning, I was not in favour of it.

*Q.* I am speaking as a business man who of course looks to his selfish interests; apart from your position as a member of Parliament, personally as an individual and a lumberman seeking to make money, you would be in favour of it?

*A.* No, I would not be in favour of it, I could say that I could make more money than under the present system; I do not say that I am in favour of a change.

*Q.* Well you do not want to make more money than you are making; you are making enough;

*A.* I think you are only catching me with words, I have told you my answer to the question.

*Q.* Is it so; I am putting the case plainly and not catching words; did you want to make any more money?

*A.* Not in that way.

*Q.* Do you think it would be a dishonorable way?

*A.* It would be for me, in the position I am, to advocate for myself pecuniarily what I knew to be against the interest of the Province.

*Q.* But if you were not a member of the House you would not feel the same as that?

*A.* I do not say what I would feel if I were not a member. I cannot say.

Q. Did you see Mr. Pardee more than once ?

A. Not in reference to that.

Q. There was no offer made to you ; no bribe or anything of that sort ?

A. No.

Q. The only person who asked you to do anything was a member on your own side ?

A. I did not say it was he ; I say that there was a party who put the resolution in my hands and asked me what I thought of it ; it might be Lyon, but I do not say positively that it was.

Q. It might be M'Kim ?

A. No, it was not he.

Mr. BLAKE.—Those are all the witnesses who are present this afternoon, though we have subpoenaed others. We had a telegram from one that he would be here to-night, and others are expected to-morrow, but in the meantime we have none to go on with.

Mr. MEEK.—I would like to be allowed some time for consideration and for consultation with counsel as to what evidence is to be put in, and then that we should have an understanding as to what time we might go on with our witnesses.

The CHAIRMAN.—I may say that it is not the intention of the Commission that there shall be any extension of time—any hiatus between the conclusion of the case for the Crown and the beginning of the defence. That was the object we had in view in the order as to the calling of the witnesses. There are some witnesses, of course, who are out of the country, and whose examination will have to be taken at another period ; I see Mr. Mowat's name on the list, for instance.

Mr. MEEK.—The Commission will see that it will be impossible for me to prepare a defence until I know what it is I have to reply to ; I think I should have, as a party accused, an opportunity of considering what evidence I may offer.

The CHAIRMAN.—All the witnesses that you knew could be of service to you were to be named by the 4th July, and if, during the progress of the examination, you found it necessary to summon others, and you make that clear, then you had an opportunity of doing so ; but it is not intended that, as a matter of course, there shall be a hiatus between the close of the case for the Crown and the opening of the defence.

Mr. MEEK.—I do not ask an extension of time ; I only say that I am not in a position. It is impossible for me to say what answer I shall make until I know what I have to answer. I think under these circumstances I should have time to consider what witnesses to call.

The CHAIRMAN.—We do not intend that you should have time to consider, after the conclusion of the case for the Crown, what witnesses you should call, for you should have them here as in any ordinary case.

Mr. BLAKE.—I presume all the evidence for the Crown will be closed by Friday, and I mention this so that my learned friends may be ready to go on with their witnesses. I do not see that the case as to the calling of witnesses is very different to an ordinary case ; and though it would be very agreeable for a defendant to wait until the plaintiff's case was through, and then ask time to get up his defence, he would not be allowed to do so.

The CHAIRMAN.—I think we must adhere to the rules that we laid down at the beginning.



Mr. MEEK.—There has been no such request made as my learned friend implies. There are four persons on the defence. Mr. Kirkland and I are the only persons represented, and I presume we will both be ready at the close of the case. I only ask for a little indulgence, and I will presume it will be given.

The CHAIRMAN.—We will be inclined to give you every indulgence, consistent with the proper and speedy prosecution of the enquiry.

At 4 p.m. the Commission adjourned to Thursday at 10 a.m.

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#### FOURTH DAY.

TORONTO, THURSDAY, JULY 17TH, 1884.

The Commission met at 10 a.m.

JOHN FRANCIS DOWLING, called by Mr. Blake, and sworn.

Q. You are a member of the Legislative Assembly?

A. Yes.

Q. Representing what constituency?

A. South Renfrew.

Q. You were present at the last session?

A. Yes.

Q. You are a supporter of Mr. Mowat's administration?

A. Yes.

Q. Were you present at the opening of the session?

A. Yes.

Q. Was your election one of those that were protested?

A. Yes.

Q. And a petition filed?

A. Yes.

Q. Had you much of a contest in your constituency?

A. Do you mean at the last election?

Q. Yes?

A. Yes.

Q. Were you more than once a member for South Renfrew?

A. No.

Q. Well, the earlier election, was that strongly contested?

A. Yes.

Q. Had you any person from outside the constituency working in it?

A. Yes.

Q. Was Mr. Wilkinson?

A. Yes.

Q. Did you know Mr. Wilkinson?

A. I saw him at one meeting, in the audience, but I was not acquainted with him.

By the CHAIRMAN.—Q. Was he present at both elections?

A. No, I think only at the last.

By Mr. BLAKE.—Q. When did you first hear of any approaches being made to any of the supporters of the Mowat Administration?

A. I heard it at the commencement of the last session, but only by rumor. I had no personal knowledge.

Q. About how early in the session?

A. During the debate on the Address.

Q. That would mean between the 23rd of January and the 6th of February?

A. Yes.

Q. Were any approaches made to you?

A. Not at that time; there were commencing on the 13th March.

Q. Just state to the Commission will you; what was the commencement of the approach to you?

A. On the morning of the 13th March, Thursday, I think, Mr. Bishop and Mr. McKim came into my room and told me that I was wanted by Mr. Wilkinson at the Walker House.

Q. Where were you boarding?

A. At the Continental.

Q. What did you do upon that?

A. When they mentioned Wilkinson's name I thought it singular that he wanted me, and I told Mr. Bishop that I could not understand it. Bishop laughed, and said there was something going on which would surprise me. I refused positively to go, for I felt that if there was anything crooked I would not go. He said Wilkinson wanted to see me about the protest filed against me, and eventually I consented.

Q. The protest was still pending?

A. Yes.

Q. Where did you meet Wilkinson?

A. At the Walker House, down stairs in the office, and he took me up into his room.

Q. Was there anyone present?

A. No person was present but myself and Wilkinson.

Q. What passed between you?

A. Wilkinson commenced to talk about the protest filed against me, and also about there being great dissatisfaction among the supporters of the Mowat Administration.

*Q.* He mentioned the two things—dissatisfaction amongst the supporters of the Government, and also the protest?

*A.* Yes. He said I was likely to be disqualified, and mentioned some clause of the law, which I do not remember now.

*Q.* You would be personally disqualified, he said?

*A.* Yes.

*Q.* What further?

*A.* He said then that some parties were anxious to overthrow the Mowat Administration, and if I would vote against the Government, those proceedings would be withdrawn against me, and they would also want me to resign my seat in South Renfrew for one of the members of the Coalition Government.

*Q.* Did he mention the forming of a Coalition Government?

*A.* Yes.

*Q.* Then the Government was to be defeated and the Coalition formed? And they said they wanted your seat for what purpose?

*A.* For one of the members of the Coalition Government.

*Q.* Was there any other offer to you?

*A.* He also stated that if I would resign and vote against the Government, all the expense in regard to those protest matters would be recouped.

*Q.* Were any figures mentioned as to the extent they would go?

*A.* If I resigned my seat, he said, if I would vote against the Government, first I would get a couple of thousand dollars, and after I resigned my seat two or three thousand dollars, if I would not interfere against the members who ran.

*Q.* If you voted against the Government they would give you a couple of thousand dollars, and if you resigned your seat?

*A.* Two or three thousand more if I would not interfere against the candidate they would nominate.

*Q.* That is in case of a new election?

*A.* Yes.

*Q.* About how long did this discussion take place?

*A.* I think about half an hour; not more than half an hour, or from twenty minutes to half an hour.

*Q.* Did he make any other offer to you?

*A.* He wanted me then to go and see Mr. Bunting, and he would make arrangements with Mr. Bunting to meet me at three o'clock that afternoon; I refused to go.

*Q.* Why were you to go and see Mr. Bunting?

*A.* He said he would have the protest withdrawn against me; I asked him whether Bunting could do so, and he laughed and said I was not aware of what power Bunting had, or something of that kind.

By the CHAIRMAN.—*Q.* You refused?

*A.* I told him I would not go.

By Mr. BLAKE.—Q. He meant powers in connection with the withdrawal of the protest?

A. Wilkinson laughed when I said I could not see how Bunting could have it withdrawn: he laughed, and said I did not know the power he had.

Q. Had you spoken to Mr. Bunting before?

A. I had never seen him to my knowledge.

Q. Did you go and see Mr. Bunting?

A. I came down stairs, and I met Mr. Bishop.

Q. Who is Mr. Bishop?

A. The member for Huron.

Q. A supporter of the Mowat Administration?

A. Yes.

Q. You met him?

A. Yes, and Mr. M'Kim; I told Bishop what took place about Wilkinson wanting me to see Bunting, and that I would not go.

Q. What further passed?

A. We went to the House then, and I saw Mr. Pardee and Mr. Fraser.

Q. Did you go to the *Mail* office?

A. Yes, that afternoon.

Q. Was it arranged where you were to see Bunting?

A. Yes.

Q. Who arranged it?

A. Wilkinson.

Q. Arranged that you were to go to the *Mail* office?

A. Yes.

Q. And you went there?

A. Yes.

Q. About what time of the day?

A. About three o'clock in the afternoon.

Q. Just mention what took place from the time you went to the *Mail* office?

A. We went upstairs several flights into a room.

Q. Did you see Wilkinson there?

A. No.

Q. How did you know where to go?

A. Wilkinson told me to take the elevator, and that a man would take me up and show me into the room.

Q. You did so ?

A. Yes.

Q. And you were shown into his room ?

A. Yes, I think Wilkinson told me that it was the first room to the right on the fourth flat, and I think the man who took me up showed me the room, but I am not positive.

Q. You saw Mr. Bunting ?

A. Yes.

Q. Was he surprised to see you ?

A. No, I didn't think so from his actions.

Q. What took place when you met him ?

A. He took me down stairs into a room and commenced to talk about ——

Q. Did he know you ?

A. I mentioned my name and he shook hands and then he said he wanted to have a conversation with me.

Q. What next ?

A. He took me down stairs a couple of flights into a room and he commenced then to talk about the dissatisfaction existing amongst the members.

Q. Was the door shut during the conversation ?

A. He locked it.

Q. He understood that there was a good deal of dissatisfaction ?

A. Yes.

Q. Did he mention to you as to the school where you had been educated ?

A. Yes, he asked me if I were educated in the Toronto School of Medicine, or if I was a graduate of that school or of the Toronto University.

Q. But you are a graduate of McGill ?

A. Yes.

Q. What did he next say ?

A. After talking about the dissatisfaction for a little while, I took up my hat and gloves and was going away, because I was a little surprised ; I understood he was to talk about the protest. He asked me to sit down and then he began to ask me if there was not a petition filed against me.

Q. What did you say ?

A. I said there was. He then commenced asking me if those elections and election expenses had cost me much, and if the party had assisted me to pay them.

Q. What did you answer to that ?

A. I answered that I paid my own expenses. He appeared to be surprised at that, and mentioned something with reference to Mr. Fauquier, of Muskoka.



Q. What did he say ?

A. He said that Fauquier was a young man like myself, and that his party had treated him differently from what my party had treated me, that they had paid his election expenses and the protest expenses, and had carried it to the Court of Appeal, and would carry it to the Supreme Court.

Q. He said his party had done that ?

A. Yes.

Q. What further did he say to you ?

A. He then said if I would assist in the formation of a Coalition and vote against the Government and resign my seat, they would recoup me for my election expenses, and also if I resigned my seat they could afford to give me two or three thousand dollars.

Q. They would recoup the expenses of the election and give you two or three thousand dollars ; did he say he would do that ? What was the word he made use of ?

A. He said they would.

Q. Did the offer differ materially from that made by Wilkinson ?

A. No, they were much the same offer.

Q. What did you say to that ?

A. I said very little.

Q. Did you accept it.

A. No, I didn't accept it.

Q. Did you go and discuss the question further ?

A. No, he talked nearly all the time ; I was much surprised, and made two or three attempts to leave the office ; he told me that there was no hurry, and that was the principal thing which took place.

Q. Then did you leave his office ?

A. Before leaving, there was a rap came to the door, he unlocked the door and said to someone that he would be there in a couple of minutes, and a few minutes afterwards I left ; he said if I wanted to see him to drop him a private note and he would go and see, or meet me at any place.

Q. Did you see Mr. Bunting after that ?

A. No, I never saw him afterwards.

Q. Did you see Wilkinson after that ?

A. Yes, I saw Wilkinson after that.

Q. How long after this interview ?

A. I think I saw him the next morning.

Q. Was anybody with Wilkinson ?

A. I think Mr. Kirkland was with him, that was on the 14th of March.

Q. Anybody else ?

A. Afterwards, that morning I saw Mr. Kirkland and Wilkinson, and immediately afterwards, I think Wilkinson took me to the Walker House to see a man whom he called Lynch, though Lynch was not with Wilkinson.

By the CHAIRMAN.—Q. Wilkinson alone or Wilkinson and Kirkland?

A. I do not remember whether the two were together or not—I could not say.

By Mr. BLAKE.—Q. Did you see Lynch.

A. Yes.

Q. Where did you meet him?

A. In the room apparently occupied by Wilkinson in the Walker House.

Q. The room you were in before with Wilkinson.

A. Yes.

Q. Who took you into that room?

A. Wilkinson showed me into the room, but did not go in with me; he opened the door.

Q. Who was it said he wanted you to meet Lynch?

A. It was Wilkinson.

Q. Then he took you to the Walker House, to the room you had been in before. Do you remember the number of it?

A. No.

Q. And then he said?

A. He said, Lynch wanted to see me in his room, and he took me up stairs, opened the door—I do not think he introduced me—and showed me into the room; he said Mr. Lynch is in there, and he put me in and shut the door.

Q. Then you spoke to Mr. Lynch?

A. I spoke to Mr. Lynch.

Q. Would you recognize him again? (Witness shown two photographs.)

A. To the best of my knowledge, though I would not swear positively, I certainly think that it is Lynch.

Q. It is either Lynch or Stimson?

A. Well, I think it is the man who met me.

Q. Had you a conversation with Mr. Stimson *alias* Lynch?

A. He asked me if I was not Dr. Dowling and I said yes; he said “Wilkinson had been speaking to you,” and he drew a large white envelope from his pocket and asked me to read what was written on the back; I read what was there and the substance of it was that he (Lynch) wanted to bet with Dr. Dowling two thousand dollars, the contents of this envelope, that I would not vote against the Mowat Administration from that time to the end of the session; he said he would count two thousand dollars, put them in the envelope, seal it, and take it down to Mr. Meek or Mr. Bunting until the close of the session.

Q. Had he any money?

A. He did not produce any.

Q. Was that endorsement on the envelope when you went into the room?

A. Yes.

Q. Have you seen the envelope since ?

A. No.

By the CHAIRMAN.—Q. He said he would put in two thousand dollars in the envelope and leave it with Mr. Meek or Mr. Bunting ?

A. He wanted me to go with him to Meek or Bunting, but I refused.

By Mr. BLAKE.—Q. What was to be done with it at the end of the session ?

A. If I voted against the Government I was to get the contents ; that was what he said.

Q. Had he said anything to you about whether you had been speaking to Wilkinson ?

A. Yes ; on going into the room he asked me if I had been speaking to Wilkinson.

Q. What did you say ?

A. I said yes.

Q. Then he said ?

A. He said I want to proceed to business, and drew the envelope from his pocket ; the interview was a short one ; I do not think I was over five minutes in the room.

Q. Did you go down with him with the envelope ?

A. No, I said I would do no such thing, and walked out of the room.

Q. Did you meet him again ?

A. No, I never saw him afterwards.

Q. Did you again see Mr. Wilkinson ?

A. I saw him on Saturday the 15th.

Q. Where did you see him ?

A. In my room at the Continental.

Q. Did he come by appointment ?

A. No, he came of his own accord.

Q. You had no knowledge of his coming until he came ?

A. No.

Q. Where did you see him in the Continental House ?

A. He and Kirkland came into my room in the hotel.

Q. What did he say to you ?

A. They commenced talking about my going into this arrangement that they appeared to have been making.

Q. What was it ?

A. It was apparently the same thing over again.

Q. State as nearly as you can ?

A. Well they asked me if I had made up my mind or decided upon voting against the Government, and Kirkland said he was interested in the timber policy of the Gov-

ernment, that he was opposed to it, and that it was to his interest that the Government should be defeated ; he stated also that he had learned that some of the members whom he had approached had told the members of the Government and that he thought he would go home, that they would all get into the penitentiary, or something of that kind.

Q. What further ?

A. They had some conversation amongst themselves, Kirkland and Wilkinson ; I think a few words passed between them, I think Wilkinson was accusing Kirkland of telling the Government, and then they left my room.

Q. Did they say on that occasion anything to you about your vote ?

A. I think they did.

Q. What did they state ?

A. Well on every occasion they did.

Q. But on that occasion did they make any offer ? If so, would you state it as distinctly as you can ?

A. Nothing definite that day, but the same night Wilkinson himself came.

Q. On that occasion what was the object of the visit of Wilkinson and Kirkland to you ?

A. To endeavor to influence me to vote against the Government.

Q. And it was in that way that Kirkland said it was in his interest that the Government should be defeated because his views were different on the timber policy ?

A. Yes.

Q. What answer did you make to that ?

A. I didn't say anything to it ; I did not assent to it.

Q. And they left you ?

A. Yes.

Q. Kirkland saying that he thought they would all get into the penitentiary ?

A. Yes, Wilkinson brought an accusation against Kirkland that he had told the Government, and then they left the room.

Q. You saw Wilkinson again that day ?

A. Yes, he came into my room about 11 o'clock that same night—Saturday night—and produced two thousand dollars and wanted me to take it, and sign the Round Robin.

Q. Did he produce money ?

A. Yes.

Q. What bills ?

A. One thousand dollar bill, and ten one hundred dollar bills.

Q. He wanted you to vote against the Government ?

A. Yes.

Q. Did he show you the Round Robin ?

A. Yes.

Q. Had anybody signed it at that time?

A. There was one name on it.

Q. Whose name?

A. Mr. Lyon's.

Q. That was the only name?

A. Yes.

Q. Does that paper contain the terms of the Round Robin (showing witness a paper)?

A. As well as I can remember it was the same.

Q. In regard to the form was it the same as that?

A. He produced a letter like that, and also a Round Robin—the Round Robin first, and I would not sign it, and then he produced the letter and asked me to sign it and I refused.

Q. Describe the Round Robin?

A. It was in the form of a circle, and it had one signature to it.

Q. Have you ever seen it since?

A. No.

Q. Then what did you say to that?

A. I said I would not sign it; I would not take the money, and they went away.

Q. Then did you see Mr. Wilkinson after that, and have any talk?

A. I think the following Monday I saw him.

Q. Where?

A. In the Continental House.

Q. What was he doing there?

A. I think he came to see me.

Q. What passed on that occasion?

A. He didn't remain long that time. He just asked me if I would not go in with the party, that they had a number of members who would vote against the Government on a want of confidence, and still urged that the proceedings would be withdrawn against me; he said that the Government was going to be defeated soon; that even Mr. Fraser had come to him and made some proposals.

Q. That is Mr. Fraser, a member of the Government.

A. Yes.

Q. What was your answer about the protest?

A. I answered no, and he went away; that was the last I saw of him.

Q. Did you see Kirkland after the interview on Saturday to have any conversation with him?

A. I don't remember, but I do not think that I did.



Q. Or Mr. Meek?

A. I never spoke to Mr. Meek in my life.

Q. Did you meet Wilkinson after that?

A. No; that was the last I saw of him.

Q. Did you see Mr. Lynch or Mr. Stimson after that?

A. No, I never saw him.

Q. Did Mr. Wilkinson say anything to you as to how this matter had been arranged, or where?

A. Yes, he said it had been arranged in Ottawa.

Q. Did he say when?

A. He said he and Mr. Bunting and Mr. Meredith had been to Ottawa and had had it all arranged; that was what Wilkinson said.

Q. Was this the first session that you had a seat in the House?

A. Yes.

Q. Do you know Mr. J. M. Gibson, of Hamilton?

A. Yes.

Q. And Mr. E. G. Sills?

A. Yes.

Q. And Mr. Caldwell?

A. Yes.

Q. These were all Reform members and supporters of the Mowat Administration?

A. Yes.

*Cross-examined by Mr. Caswell.*

Q. You spoke about meeting Kirkland, where was the first time you met him?

A. It was either in the Continental, or the Walker House; I am not positive which.

Q. By whom were you introduced?

A. By Mr. Wilkinson.

Q. When were you introduced to him?

A. I think it was on Friday, the 14th.

Q. And you think it was at the Continental?

A. Yes.

Q. Whatever conversation you had with Kirkland was Wilkinson present on that occasion?

A. No, I think not.

Q. Wilkinson introduced you; then what happened?

A. He went away.

Q. And left you and Kirkland ?

A. Yes.

Q. I understood you to say that both were present ?

A. They were on one occasion at least, but not on the first occasion.

Q. Are you positive that Wilkinson introduced him ?

A. As well as I can remember.

Q. At the Police Court you could not say ?

A. I am not positive about it, but I think it was Wilkinson; nor am I positive about the place, but I think it was the Continental Hotel.

Q. What time of day ?

A. I think it was before noon.

Q. Are you satisfied of that ?

A. Yes, quite.

Q. Was it Thursday or Friday ?

A. I think it was on Friday the 14th.

Q. That was the first occasion on which you met Kirkland so far as you know ?

A. Yes.

Q. Was this prior or subsequent to the interview with Bunting ?

A. It was after.

Q. A few days ?

A. It was the following day ; I met Bunting the previous afternoon.

Q. Was there anything said in Kirkland's presence about an interview with Bunting ?

A. There might be but I do not remember.

Q. Did he seem to show any knowledge of your having had the interview ?

A. I remember in speaking to Kirkland that he mentioned Wilkinson's and Bunting's names several times.

Q. Did he say anything that would lead you to believe that he knew of your meeting with Bunting the previous evening ?

A. He may have, but I do not remember.

Q. He simply mentioned their names as you might mention any person's name; you do not attach any importance to it. Was there any language used about it ?

A. In trying to influence me to vote against the Government he mentioned that Bunting and Wilkinson would withdraw the proceedings against me and recoup me for my election expenses.

Q. Was this in Wilkinson's presence ?

A. No, he had gone.

Q. When he was present, was there anything about the petition ?

A. No.

Q. And during the conversation with Kirkland you said he said "they," meaning Wilkinson and Bunting?

A. He was speaking first of Bunting and Wilkinson, and then in the course of the conversation he would use the word "they."

Q. He didn't use the word "we" in his conversation, coupling himself with the others, or did he?

A. I don't remember so minutely as that, whether he mentioned "we" or "they."

Q. Did he say "we" would get the election petition withdrawn?

A. No, I think he said "they."

Q. His language didn't lead you to believe that he was a party to dropping the petition?

A. No, I don't think it was.

Q. Did he ask you to vote against the Government?

A. He did.

Q. Generally?

A. No, on the timber policy; that appeared to be all he was interested in.

Q. Did he explain that he had been seeing Mr. Pardee or any member of the Government?

A. No.

Q. Or any supporters of the Government?

A. I beg your pardon, he may have mentioned that he saw Mr. Pardee, I think he did, and that Mr. Pardee would not agree to his proposal.

Q. Did he say that he had seen Mr. Pardee, or that Mr. Pardee had been seen on his behalf?

A. I do not remember, I think he said he had seen Mr. Pardee.

Q. Did he say anything about whether he had seen him during the session or at any prior time?

A. He did not say when.

Q. Did he say anything about meeting the supporters of the Government and discussing this policy with them?

A. Yes, I think he did.

Q. Did he refer to any names?

A. Yes, he referred to Mr. Harcourt; he wished me to see Mr. Harcourt and Mr. Gibson and promise to support them in any measure they would take in reference to the timber policy.

Q. He referred to the timber policy all through?

A. Yes.

Q. He asked you to support any measure they would sustain?

A. Yes, and to try to induce them to introduce those measures.

Q. Did he say anything to you about wanting you to support those gentlemen in voting against the Government?

A. No, it was in reference to the timber policy he wanted me to support them.

Q. You were only to support them in this change of the timber policy?

A. Yes, as far as I remember, that was all.

Q. Well now, did he shew by his language that he wanted a change of Government

A. I think all he wanted was a change in regard to the timber policy, I think that was all.

Q. Did he show anxiety to actually get this particular Government out and another in?

A. I do not think he cared, so long as there was a change in the timber policy. I think that was all he wanted.

Q. So that if he were to get some resolutions of that kind brought up that would apparently ask the Government to change the policy, all he asked was to support them?

A. Yes, that was all.

Q. It was not actually to turn out the Government?

A. No, I don't think he cared about that.

Q. Did his language imply that the Government knew what he was doing?

A. No.

Q. Did he seem to be keeping the Government out of a knowledge of what he was doing?

A. He did not give me to understand one way or the other.

Q. Did he ask you to keep the thing a secret?

A. No, I don't think he did.

Q. He spoke in a free way; there was no cloaking?

A. No; he appeared to be only interested in the timber policy?

Q. Was there any attempt to close the door, specially, so that no one could hear?

A. No, I don't think there was.

Q. That was on the Friday; do you remember anything else of the conversation that day?

A. No, I do not.

Q. What was the next time you met Kirkland?

A. On Saturday afternoon, the 15th.

Q. Where was that?

A. In my room in the hotel.

Q. What was the subject of conversation on that occasion?

A. He asked me if I had seen Harcourt or Gibson in the meantime; I said I had not; that I had not spoken to them with reference to the subject at all.

Q. What was the next thing?

A. He said that he had heard that the Government was aware what was going on amongst those parties, and that the best thing he could do was to go home.

By the CHAIRMAN.—Q. Was Wilkinson present?

A. Yes.

By Mr. CASWELL.—Q. Was any other person present?

A. No, just the three of us.

Q. And all could hear this?

A. Yes.

Q. Was anything said by Kirkland then about your voting against the Government?

A. Yes, I think he still spoke of voting against the Government on the timber policy.

Q. Did he speak of your voting against the Government, or did Wilkinson do so?

A. I think they both did on that occasion.

Q. Did they seem to have a common interest in what they were at?

A. Yes.

Q. To vote against the Government?

A. Yes.

Q. Was Wilkinson interested in the timber policy too?

A. I do not think so.

Q. He had other grounds besides the timber policy?

A. Yes.

Q. Had he expressed those to you?

A. He had.

Q. On this occasion in Kirkland's presence?

A. I do not think that he did, though it is possible; he did on various occasions.

Q. Now on this occasion I think you say he used the expression that the Government knew about it and that he would go home?

A. Yes.

By the CHAIRMAN.—Q. Knew about what?

A. That improper offers were being made to the members.

By Mr. CASWELL.—Q. Did he use those words?

A. He implied them; it was that he meant.

Q. That improper offers were being made to supporters of the Government?

A. Yes.

Q. Did his language imply that he had made any improper offers?

A. His language implied that he was, I think, implicated, because he said, "I think I will go home, or perhaps I will get into the Penitentiary."



Q. Did his language imply more than he knew what was going on?

A. Well, I think from what he said that he must have been implicated in the matter.

Q. Was there anything further said on that occasion?

A. That was all that occurred.

Q. Was Wilkinson there during the whole conversation?

A. Yes.

Q. You mentioned that Wilkinson charged him with telling tales

A. Yes.

Q. And they went away discussing that matter, I suppose?

A. Wilkinson said something to Kirkland, accusing him of telling Mr. Pardee. I think Kirkland denied it, and both went away immediately afterwards.

Q. Did Kirkland ever offer you any money?

A. No.

Q. Or hint that he would give you any money?

A. Not of himself.

Q. Was there any document or paper produced by Kirkland?

A. No.

Q. He did not ask you to sign any round robin or anything of that nature?

A. No.

Q. Nor was present when it was produced?

A. No.

Q. It was stated in one of the newspapers, in connection with the police court proceedings, that Kirkland offered you two thousand dollars?

A. No, that was a mistake.

Q. Nothing of the nature of money was offered you by him?

A. No.

By Mr. MEEK.—Q. Do you know Mr. Bishop?

A. Yes.

Q. Who is he?

A. He is the member for Huron.

Q. On what side is he?

A. On the Reform side.

Q. Do you know McKim?

A. Yes.

Q. Who is he?

A. He is also a Reform member supporting the Mowat Government.

Q. Who came to you first to speak to you first about the matter ?

A. McKim and Bishop.

Q. And which one was it that spoke ?

A. Bishop, I think, spoke first.

Q. What did he say to you ?

A. He commenced to laugh, and said he was going to tell me something that would surprise me. He said Wilkinson wanted me at the Walker House.

Q. Did you know at that time who Wilkinson was ?

A. I had heard of him but was not acquainted.

Q. Did you ask him who Wilkinson was ?

A. No.

Q. Did you make any reply ?

A. I said I would not go.

Q. Why did you say that ?

A. Because I inferred from what Bishop said that something curious was going on and that the Government was aware of it.

Q. What was the curious thing ?

A. He said something about a lot of corruption going on in Ottawa, and Wilkinson was carrying it out here ; that there was a boiling cauldron of corruption going on, and that Wilkinson was carrying it on here, and that it would be in the interest of the Province and the country that I should go and see him.

Q. Did he say anything else before you said you would not go ?

A. McKim then said I should go and see him.

Q. McKim urged you to go ?

A. Yes, he said I should go and see him.

Q. Why, did he say ?

A. He said there was something going on, and he would like me to see Wilkinson.

Q. Did he give any reason for going ?

A. He did eventually ; he said on account of my protest, that Wilkinson wished to see me with reference to the protest case.

Q. Did McKim tell you to go ?

A. Yes.

Q. He said he thought you had better go ?

A. He said he thought I had better go.

Q. Did he use any stronger language than that ?

A. No.

Q. What else did McKim tell you ?

A. They kept on, both of them telling me and urging me to go. I consented in the latter end.

Q. You would not have gone if they hadn't urged you ?

A. No.

Q. Did they say the Government knew all about this ?

A. Yes, Mr. Bishop I think.

Q. Which member of the Government ?

A. He did not say.

Q. What did he say ?

A. He said that the members of the Government knew what was going on ; "don't be afraid for the Government, they know what is going on."

Q. Did you ask him how he knew that ?

A. No.

Q. Had you sufficient reliance on him to believe him ?

A. Yes, I believed what he said.

Q. Did you believe the Government would have allowed this to be going on if they knew ?

A. Well, at this time I did not know what was going on, myself.

Q. Well, did you ask him anything further. Were you surprised to think that the Government would allow it to go on ?

A. Well. I thought that the Government had no authority for Wilkinson's actions.

Q. But about McKim's actions ?

A. I did not know whether they were aware of them.

Q. Did not they say that they had authority from some member of the Government to ask you to go ?

A. No, no, they didn't tell me that.

Q. Did you assume that from what they said ?

A. No.

Q. They said when you refused to go, "Don't be alarmed, the Government know all about it?"

A. Yes, but they did not imply in any way that they were aware that McKim and Bishop were going to see me. I didn't infer that.

Q. They told you a boiling cauldron was likely to infest the whole Legislature, and you would naturally say, before I put my foot in anything of this kind, I want a positive assurance that the Government know what I am doing. Did not you take that course ?

A. No, Bishop said we might go and see the members of the Government before going, though it was not necessary, because they appeared to know what this Wilkinson was doing.

Q. Did he intimate that they were quite willing that you should go?

A. I didn't infer from what either of them said that the Government was aware that they came to me.

Q. Did you infer that the Government would not be annoyed with you if you went?

A. Certainly I did.

Q. After being urged in that way did anything more occur at that interview?

A. No.

Q. Did they tell you anything further?

A. I think that was nearly all, though there may have been some words passed which I have forgotten.

Q. Did McKim tell you anything about any offer made to him, about his seeking any position, or anything of that kind?

A. No, he never mentioned it.

Q. Did he say that any offers had been made to any others?

A. No.

Q. From all that was said you were led to believe that you were the first person to be operated upon?

A. At this time I had no idea of what was going on.

Q. But from all that was said there at that time you could not think anything else but that you were the first person to be contaminated?

A. I could not infer that from what they said; there might have been a dozen others.

Q. Did they say there were a dozen?

A. No.

Q. Did they intimate that there were any others?

A. No, they said Wilkinson wished to see me about the protest.

Q. From all that was said you had no reason to suppose that you were the second person?

A. I had no idea how many there were.

Q. You could only think from anything said to you that you were the first person to be operated upon?

A. I could not infer that at all. From anything they said there might be a dozen.

Q. And from anything said to you you could not infer anything else than that you were the first person?

A. No, I could not infer that.

Q. Why could you not infer that?

A. Because from anything they said there might be a dozen.

Q. And that would be all left to your imagination?

A. Yes, because I had no idea of what was going on.

Q. From anything they said there might not be any ?

A. Yes.

Q. But you could have inferred, and legitimately, that you were the first person, from anything they said ?

A. Yes, I did not know the offers which were going to be made at all.

Q. But they told you that an offer would be made to you ?

A. I think one or the other stated that an effort was being made to defeat the Mowat Government, that they were trying to bribe some of the members.

Q. But they told you that an offer would be made to you ?

A. No.

Q. What did they tell you to go for ?

A. That Wilkinson wanted to see me on different subjects and especially the petition.

Q. Did they say he wished to make a proposition about it ?

A. No.

Q. What did you infer from that ?

A. I did not know then what he wished to say about it.

Q. Did you go with them ?

A. Yes.

Q. You didn't know Mr. Wilkinson at that time ?

A. I was not acquainted.

Q. Did they introduce you ?

A. McKim did.

Q. Where ?

A. In the Walker House.

Q. In Wilkinson's room ?

A. No, I think down stairs.

Q. Well, after the interview with Wilkinson, did you see McKim again ?

A. Yes, he and Bishop were down stairs.

Q. How long did the interview last ?

A. Twenty or twenty-five minutes, or half an hour.

Q. Did you tell him all that passed ?

A. I think I told Bishop ; I do not think I told McKim.

Q. Was McKim standing by ?

A. No, I think he was not in the room.

Q. And what did Bishop say ?

A. He laughed and said, " I told you you would be surprised."



Q. Was that all that was said ?

A. I think that was, though he may have said more.

Q. Did he tell you to go and see any members of the Government ?

A. We were going to the Buildings at the time.

Q. Did he tell you ?

A. Possibly, but I do not remember.

Q. Did you see McKim immediately after the conversation with Wilkinson ?

A. Yes.

Q. What did he say ?

A. I do not remember what he said.

Q. Did you tell McKim all that passed ?

A. No, I think not. Bishop and I walked to the Buildings, and McKim was there with another gentleman.

Q. You do not think he said anything on that occasion ?

A. It is possible that he did, but I do not remember what he said.

Q. You and Bishop walked where ?

A. To the Buildings.

Q. Whom did you see ?

A. I met Mr. Pardee and Mr. Fraser in the corridor.

By the CHAIRMAN.—Q. When was this ?

A. On the Thursday.

By Mr. MEEK.—Q. Did you tell them what happened ?

A. Yes.

Q. What did they say to you—either of them ?

A. They laughed, and I told them Wilkinson had arranged an interview with me with Bunting.

Q. What did they say to you—either of them ?

A. I told them——

Q. But what did they say ?

A. I don't think they said anything until I told them what I am going to tell you now.

Q. You told them all that took place, but what did they say to you ?

A. I do not think they replied, at that time, until I said more.

Q. As soon as you told them everything that had occurred, what reply did they make ?

A. I do not think they replied to that part of the conversation at all.

Q. Well, to any part of the conversation ; what was their reply ?

A. When I told them that Wilkinson had arranged an interview with Bunting, I told them that I was not going to go. They asked me what it was about, and I said principally about my protest, and they said I had better go.

Q. Who said that ?

A. Both.

Q. Did they urge you to go ?

A. Yes, they said there was no harm, that I had better go and see what they had to state.

Q. Both of them ?

A. Yes, they said I had better go and see what they said about the protest. I refused positively, and said that if Bunting wanted to see me, he could come and see me.

Q. You were determined not to approach anybody, but they urged you to approach Bunting ?

Mr. BLAKE.—He did not say that he approached anybody or was asked to approach anybody ; he said that they had asked for an interview.

Mr. MEEK.—I did not say that he had approached anybody.

The CHAIRMAN.—He didn't use the word "urged" which you have used a dozen times.

Mr. BLAKE.—Nor the word "approach."

Mr. MEEK.—And you used a dozen of words during the examination which witnesses did not use.

Mr. BLAKE.—I did not put words in the witnesses' mouth, and at any rate if I was wrong I should have been corrected. I submit if it is reasonable, when the witness has not made use of the word "approach," that it should be repeated by counsel as if he had used it.

Mr. MEEK.—And I submit, was it reasonable to use the word "*alias*" in connection with the name of Lynch.

The CHAIRMAN.—He did not represent the witness as using that word. He presented the photograph and said, "Is this a photograph of the man Lynch, *alias* Stimson," stating a conclusion which might be drawn from the evidence already given, and that the photograph might be the photograph of this man.

Q. How many times then did they request you to go ?

A. At this one interview ?

Q. Yes ?

A. They told me a couple of times that I had better go.

Q. They both said that ?

A. Yes.

Q. Did you finally positively refuse?

A. At the first I did. We talked over the protest case for a few minutes, and I think Mr. Fraser said that possibly Bunting wanted to see me about the protest, and for that reason it was I went to see Bunting.

Q. Did you consent to go yourself?

A. I said it was possible I would go, and I left them.

Q. Did they tell you anything else was going on—either Mr. Fraser or Mr. Pardee?

A. I told them—

Q. Did they tell you?

A. No.

Q. Was Mr. Bishop present at this conversation with Mr. Fraser and Mr. Pardee?

A. No, I think not.

Q. Was McKim?

A. No, I think not.

Q. You were alone with them?

A. Yes.

Q. After saying it was possible you might go, you left?

A. Yes.

Q. Whom next did you see?

A. I think I saw Bishop; I think we were at lunch together; I think there was a sitting of the House that day, and I met him immediately after the House adjourned.

Q. Where did you go with him?

A. To the Continental Hotel.

Q. Where you were stopping?

A. Yes.

Q. What did Bishop say?

A. He said I might as well go and see Bunting.

Q. Did he urge you to go down and see him?

A. He didn't urge me very strongly.

Q. You do not like that word "urge?"

A. Well, I do not think Bishop urged me.

Q. You do not put it so strongly now?

A. No, I do not wish to put it so strong.

Q. He told you you might as well go. How many times did he repeat it?

A. I do not know.

Q. Did he tell you anything else ?

A. I do not think so.

Q. Did he tell you anything he knew was going on ?

A. I do not think so ; I do not remember of anything.

Q. Up to that time you did not know that any one else was being approached at all ?

A. No, I didn't.

Q. Or that any person was approaching anybody else ?

A. No, I didn't.

Q. Then you went into the hotel with Bishop. Was he stopping at the same hotel ?

A. Yes.

Q. Was that all that occurred between Bishop and you ?

A. Yes, all that I remember of.

Q. Was that the same day you went to see Mr. Bunting ?

A. Yes.

Q. Did you see Mr. Bunting before you saw McKim, after the interview with Mr. Pardee and Mr. Fraser ?

A. I do not remember of seeing him.

Q. Are you sure you didn't ?

A. I would not be positive, but I do not remember any conversation which took place with reference to it.

Q. Before you saw Mr. Bunting, after the interview with Mr. Fraser and Mr. Pardee, did you see McKim, or he see you ?

A. He may have seen me, but I do not remember anything that occurred between us ?

Q. Didn't he know that you had decided to see Mr. Bunting before you went ?

A. I do not know.

Q. Didn't he know that you had given your consent to see Mr. Bunting before you went ?

A. I do not know.

Q. You do not recollect ?

A. I do not recollect.

Q. Did he come to the same hotel where you were stopping ?

A. No, I think not.

Q. After your interview with Mr. Bunting, when did you see any member of the Government ?

A. I saw them the same evening, I think.

Q. Which members of the Government ?

A. Mr. Pardee and Mr. Fraser.

Q. Before you saw Mr. Pardee and Mr. Fraser did you see Mr. Bishop and Mr. McKim?

A. I saw Mr. Bishop.

Q. Did you see Mr. McKim?

A. I do not remember, but it was very possible.

Q. He came to your hotel very frequently?

A. Not often.

Q. About that time, I mean?

A. On a few occasions, not very often.

Q. He was there every day about that time?

A. Perhaps every day.

Q. You saw Bishop before seeing Mr. Pardee and Mr. Fraser, after seeing Mr. Bunting.

A. Yes.

Q. What did you say to Mr. Bishop; did you tell him what happened?

A. Yes, all that I remembered of.

Q. What did he say about it?

A. I do not remember.

Q. Did he tell you to go and tell the members of the Government?

A. I do not remember that he did.

Q. Did he tell you to go and see Wilkinson again?

A. It is possible that he did, but I do not remember at this date; he may have done so.

Q. Did he tell you to see McKim again?

A. I understood it was McKim you were speaking about.

Q. No, I mean Mr. Bishop; I am speaking of what Bishop told you; did he tell you to go and see members of the Government and tell them what occurred?

A. I do not remember of his doing so.

Q. You told Bishop what had happened?

A. Yes.

Q. Did he tell you to see McKim?

A. I do not remember of his doing so.

Q. Do you remember of his telling you to see Mr. Wilkinson?

A. I do not remember that.

Q. You do not recollect anything that passed between you and Bishop after seeing Mr. Bunting?

A. No, I don't.



Q. Where was your interview with Mr. Bishop ?

A. He was stopping in the same hotel.

Q. He was the first man you saw after seeing Mr. Bunting ?

A. I do not know.

Q. The first person that knew anything about this matter ?

A. I remember seeing Mr. Bishop after seeing Mr. Bunting, but I saw half a dozen men before I saw him ; I may have spoken to half a dozen more.

Q. About this matter ?

A. Oh, no.

Q. Bishop was the first man you spoke to on the subject ?

A. Yes, I think so.

Q. Was he the only man you spoke to before seeing Mr. Pardee and Mr. Fraser ?

A. I think he was ; I do not remember any person else.

Q. You went to see Mr. Pardee and Mr. Fraser in the evening ?

A. Yes, it would be in the evening, about seven o'clock, or seven thirty ; I do not remember whether it was before the opening of the evening session or during the evening session.

Q. Did you tell Mr. Pardee and Mr. Fraser all that happened ?

A. Yes.

Q. Which did you tell first ?

A. I think they were together.

Q. After you told them all that had taken place at the interview, which of them spoke to you first ?

A. I cannot answer that question.

Q. Did either of them speak to you about it ?

A. I spoke to them.

Q. You told them everything ?

A. Yes.

Q. What did they say ?

A. I told them Bunting wanted to see me again or would send me a note ; I said that I was not going to see any of these parties any more.

Q. What did they say ?

A. They laughed and said, " Let them go ahead and see how far they will go."

Q. Did either of them tell you to go and see him or any person ?

A. No, neither of them told me to go and see Bunting.

Q. Did either of them tell you to see Wilkinson ?

A. I do not think so ; they told me to let them go ahead.

Q. What did you infer?

A. I told them that if either of those parties came into my place I would turn them out, and they said, "No, never mind; let them go ahead."

Q. What did you infer from that remark?

A. I inferred from that, that they did not appear to be alarmed at what was going on.

Q. That it was their desire that you should lead them on; lead them to suppose that you were willing to consent to be bribed by the party; did you infer that from them?

A. I inferred from them that they didn't appear to care; they said, "Don't bother; let them go ahead."

Q. Go ahead and try to get the money?

A. I think on a subsequent occasion they told me that if money was offered I should take it.

Q. On that occasion the most they said was, "Let them go ahead," and you inferred from that that if any of the party met you you were not to show any indignation, but to listen to the proposal that might be made to you; you were not to resent the approach?

A. Yes.

Q. And you were to appear to concur in it?

A. They didn't say so.

Q. But did you infer it; that you were to appear to be one of the men who were to help to turn out the Government?

A. No, not so strongly as you have said.

Q. Then you were not to assume any *role* or position?

A. They told me what I have said.

Q. Did you think you had a right, so far as they were concerned, to assume the position of appearing to consent to be one of the men to vote against the Government?

A. They imply said "let those fellows go ahead."

Q. Did you understand that you were to assume that *role* from anything they said to you?

A. No, not so strongly as you say. I could infer what I had a mind to from what they said, but they said "let those fellows go ahead."

Q. You were stating that if they came to you that you would turn them out, and they disapproved of that?

A. No, they said no, "let them go ahead."

Q. You understood that that was their desire?

A. Yes.

Q. After that you saw Mr. Wilkinson?

A. Yes.

Q. Was he the next person you saw?

A. I saw Wilkinson the following morning.

Q. Did you see Bishop or McKim?

A. I must have seen Bishop, for he was in the same hotel.

Q. Did you tell him what passed between you and Mr. Fraser and Mr. Pardee?

A. Possibly, but I do not remember. I did not take any notes of these things.

Q. But you may have told him all that the members of the Government said?

A. I may have or I may not.

Q. Did he approve of what the members of the Government said?

A. I do not remember.

Q. Do you remember his expressing any disapproval at any time of the course suggested by members of the Government?

A. No, I do not.

Q. You saw Wilkinson the next morning?

A. Next afternoon, I think it was.

Q. You didn't see anybody until next afternoon, and then you saw Mr. Wilkinson?

A. I think I saw Wilkinson on the Friday.

Q. I am speaking of the evening you saw Mr. Fraser and Mr. Pardee, and returned to your hotel. You likely had a conversation with Mr. Bishop, and the next morning —

The CHAIRMAN.—Q. The meeting with Mr. Fraser and Mr. Pardee was on the 13th?

A. Yes.

By Mr. MEEK.—Q. Well, it was on the following Friday morning you said you saw Wilkinson; was any person with him when you saw him?

A. No, I think he was alone.

Q. After the interview with Wilkinson, whom did you next see in reference to this matter?

A. I think it was Lynch.

Q. And after him who next?

A. I do not remember.

Q. Did you see Mr. McKim?

A. It is possible I did; I used to see McKim and Bishop almost every day, or several times a day.

Q. Did you see any member of the Government after seeing Lynch?

A. I think I did.

Q. Which one?

A. I think I saw Mr. Fraser, and Mr. Pardee also.

Q. Did you tell them what had passed?

A. Yes.

Q. All that happened?

A. Yes, all that happened with Lynch.

Q. But with Wilkinson?

A. I suspect I told them some of it.

Q. Did you tell them substantially all that happened?

A. Yes, I told them that they appeared to be in danger.

Q. Did you tell them all that occurred—what transpired between you and me?

A. I think I did.

Q. Which one of them?

A. The ones I have already said.

Q. Did they appear to be always together—Mr. Fraser and Mr. Pardee, when you met them?

A. Not always; I used to meet them in the Council Chamber. I think Mr. Hardy was there on one occasion.

Q. Was this meeting you had on Friday afternoon?

A. Yes.

Q. Where?

A. In the Parliament buildings.

Q. Did they appear to be excited over it?

A. No.

Q. They took it very coolly?

A. Yes.

Q. Did they laugh about it or joke about it?

A. I don't know; but when I told them that they should be on their guard; that a desperate effort was being made to defeat the Government, they laughed and said —

Q. O, they did laugh?

A. They laughed at what I said to them, not at what you infer.

Q. The laugh was at your remark and not at what took place, you make that distinction?

A. Yes.

Q. And did they give you any instructions or advice?

A. No.

Q. Did you ask if you should accept any money?

A. No.

Q. Didn't you ask either of them?

A. I told them on one occasion that money was being used but that I was not going to take it, and they told me I might as well take it.

Q. Did they both say this ?

A. I know Mr. Fraser did, anyhow.

Q. You are not so sure of Mr. Pardee ?

A. I cannot recollect exactly that he did.

Q. Did you think Mr. Pardee would have disapproved of it if you had taken the money ?

A. I did not know whether he would or not.

Q. If he had known you were offered money and were likely to accept it ?

A. Do you mean, to keep it myself ?

Q. No, to carry out the scheme. From any remarks he made on the occasion, was it the impression on your mind that he would not advise the same course as Mr. Fraser ?

A. I think he would.

Q. You could not infer anything else than that both were willing you should take any money which was offered you ?

A. Yes.

Q. Did either of them say anything to you, or did they tell you to take it ?

A. They said if they offered money to take it.

Q. Mr. Fraser said that ?

A. Yes.

Q. Did you feel indignant at all at being advised or directed in that way ?

A. I told them I would not take the money under any consideration. I felt like this, that the thing looked a little crooked, and there might be some suspicion——

Q. But you were placed by your leaders to play that sort of game, and you didn't like it ?

A. I told them that I would not take the money.

Q. But you have no heart for that kind of work ; you are not that kind of a man ?

A. No, I told them I would not take it.

Q. Did he urge you to do so more than once ?

A. No, I think he said a couple of times that if they offered the money I should take it and give it to the Speaker.

Q. You are satisfied that he was anxious that you should do it ?

A. No, he simply said if they offered it to take it.

Q. You think anxious is too strong a word ?

A. I think it is.

Q. Then that he was willing ?

A. Yes, he was willing that I should take it ; of course, I do not know what his feelings may have been.



Q. But he told you to take it ?

A. Yes, if it was offered.

Q. Had you any other conversation with Mr. Fraser on the subject?

A. On the subject of taking the money ?

Q. I mean on that occasion ?

A. I do not remember anything of it.

Q. Did he tell you, or Mr. Pardee tell you, of anything else that was going on ?

A. Not that I remember.

Q. Did they tell you on that occasion, or up to that time—we are speaking of the Friday—that they were aware of anything that was going on ?

A. No, they did not.

Q. Or that any person else had been approached ?

A. No, I told them they were in danger of the Government being upset, and they said, "don't be alarmed, we are aware of everything."

Q. Did they tell you what McKim was doing ?

A. No.

Q. Did they mention his name ?

A. No.

Q. Was there anything else that occurred in that interview ?

A. Nothing I can remember of.

Q. Whom did you next see about this matter, after your interview with Mr. Fraser and Mr. Pardee on Friday afternoon ?

A. I do not remember.

Q. Did you see Mr. McKim ?

A. I do not remember seeing him, but it was possible I did.

Q. Mr. Bishop ?

A. I must have seen Bishop, because we were together very often.

Q. Just about that time did you always talk about the different interviews you had ?

A. I think I did.

Q. He still continued to approve of everything ?

A. I think he did.

Q. That the members of the Government had told you to do ?

A. Yes, I think he did.

Q. What next happened after that ; with whom did you have an interview ?

A. I think it was perhaps with Kirkland, though I am not positive.

Q. And then after the interview with Kirkland, who next?

A. Well, on the Saturday I remember both Kirkland and Wilkinson being in my room.

Q. You had no interview until Saturday, except the one you have told us?

A. I had with Lynch.

Q. You had two interviews with Lynch?

A. No, I had only one.

Q. After your interview with Messrs. Fraser and Pardee, and your conversation with Mr. Bishop, with whom did you next have a conversation or interview in reference to this matter?

A. I think the next who came to see me was Wilkinson and Kirkland.

Q. When?

A. On the Saturday.

Q. Where did they see you?

A. In my room at the hotel.

Q. Were they with you long?

A. Twenty minutes or half-an-hour.

Q. Both together?

A. Yes.

Q. Which came in first?

A. I do not remember.

Q. After their interview with you what did you do?

A. On the Saturday—I do not remember.

Q. Did you see any member of the Government?

A. I do not remember: I do not think I did on the Saturday afternoon.

Q. You did not report this interview?

A. No.

Q. Did the members of the Government tell you to report everything that was going on?

A. No, they did not.

Q. You don't think you saw any member of the Government on Saturday?

A. No, I don't think I did.

Q. Did you tell Mr. Bishop about their visit to you?

A. No, I think Mr. Bishop was away on Saturday.

Q. Did you see Mr. McKim on that same occasion? or if not, at the time of the interview? Did he come with you?

A. No, I don't think he did.

Q. Did you see McKim after you had seen Kirkland and Wilkinson on that Saturday ?

A. I think McKim came to my room on Saturday night.

Q. Did he stay long ?

A. I do not think he stopped more than a few minutes.

Q. What did he say to you ?

A. I think he said Wilkinson was going to see me that night ; I remember McKim being in and saying something about Wilkinson coming to see me.

Q. This was after Wilkinson and Kirkland had been to see you ?

A. Yes.

Q. What did he tell you to do ?

A. I do not remember.

Q. Did he tell you what course you should pursue, or what you should state to them ?

A. No, I think not.

Q. Did he intimate anything of the kind ?

A. No, I don't think he did.

Q. Are you positive ?

A. He may have made such a remark, but I do not remember if he did.

Q. Did he appear to be anxious or active about the matter at that time ?

A. To a certain extent he did.

Q. At all events he told you Wilkinson was coming ?

A. Yes.

Q. Did he say when he would come ?

A. I do not remember.

Q. Did he say he would come that night ?

A. I think he did.

Q. Did he say that he had asked Wilkinson to come to see you ?

A. I don't remember his saying so.

Q. Or asking you if he would tell Mr. Wilkinson that he might come ?

A. I don't remember his asking me any such question.

Q. From the course you had taken with Wilkinson and Kirkland they could only infer that you were loath and unwilling to go into the scheme, and it would be natural that they should try to find out if you were willing. They might have inferred that you were going to kick them down stairs or something of that kind, and it was only natural that he should ask McKim if he would go and see if you were willing. Do you remember McKim saying anything of the kind ?

A. It does not occur to me that he said anything of the kind.

Q. Did he say, "shall I tell him to come, or that he may come?"

A. I do not remember any such remark.

Q. What did he say?

A. I think I remember his saying in the hotel "this man Wilkinson is coming to see you," or words to that effect. He said "that man Wilkinson," or "that fellow Wilkinson."

Q. What did you say?

A. I don't remember.

Q. Did you say all right?

A. I tell you distinctly I do not remember.

Q. Did you leave him under the impression that he should go back and tell Wilkinson that you were willing he should come?

A. I don't remember doing so.

Q. Did McKim go out then?

A. Yes.

Q. How long had he gone before Wilkinson came in?

A. I think he was away two or three hours.

Q. Then did Wilkinson come?

A. Yes.

Q. Did you order him out of the room?

A. No.

Q. Did you ask him to take a chair?

A. I don't know whether I told him, but at all events he didn't sit down; I may have asked him.

Q. How long did he stay?

A. About twenty minutes.

Q. After that interview did any person else see you on that Saturday night?

A. No.

Q. Did any person see you on Sunday, or did you see any person?

A. No, I don't remember seeing any of these parties on Sunday.

Q. Did you see any member of the Government on Sunday?

A. I don't think I did.

Q. Were you not at the Parliament when McKim was there having an interview with Messrs. Pardee and Fraser?

A. I don't remember being there; I have no recollection of that at all.

Q. Do you recollect seeing any member of the Government on Sunday?

A. I don't recollect seeing any member of the Government, or Mr. McKim, either.

Q. Or Mr. Bishop?

A. No, I think he was away.

Q. Nothing further occurred on Sunday?

A. No.

Q. Then on the following Monday whom did you see first—McKim?

A. I don't remember seeing McKim on Monday.

Q. Hadn't you an interview with Wilkinson on Monday?

A. Yes.

Q. Where?

A. In the Continental Hotel.

Q. Didn't McKim tell you that he was coming?

A. I do not remember.

Q. You would not say he didn't.

A. No.

Q. After the interview on Monday with Wilkinson, did you see any member of the Government?

A. I do not think I did; I don't remember of it.

Q. That was Monday the 17th?

A. I don't think I did.

Q. Up to the time the statement was made by the Attorney-General in the House, did you see no person?

A. I was not in the House at the time.

Q. You were at the hotel?

A. Yes.

Q. You were sick?

A. I was not very well.

Q. But you knew of it?

A. I didn't know what was going to occur.

Q. Did any one say that there was likely to be a vote that night?

A. I do not remember any person saying so.

Q. A vote on the timber policy?

A. I don't remember that they specified any particular night.

Q. When did you make a statement first?

A. The following day, I think—on the 18th.

Q. In the House?

A. Yes.



Q. Did you write out your statement yourself, or did a shorthand reporter take it down for you?

A. No.

Q. You were not so cautious as Mr. McKim was in that respect; did you tell any member of the Government what you were going to say before you said it?

A. No.

Q. Had you any interview with Mr. Mowat, with Mr. Fraser or Mr. Pardee before making the statement?

A. No, I was in the hotel and they sent for me, and I went up immediately and made the statement.

Q. Who came after you—McKim?

A. No, I think it was one of the pages of the House?

Q. You went immediately to the House and made a statement?

A. Yes.

Q. Did you give evidence before the Committee of the House?

A. Yes.

Q. Under oath?

A. No.

Q. Did you hand it in a written statement?

A. No, I gave it verbally.

Q. The first time you was under oath was at the Police Court?

A. Yes.

Q. Did you make a complaint to Mr. Baskerville about election expenses?

A. No, but I would like to explain that.

The CHAIRMAN.—You can explain it in answer to the question.

Mr. MEEK.—I submit that he should answer the question first, and then give his explanation.

Q. Did you explain to Mr. Baskerville about your election expenses?

A. I don't think that Mr. Baskerville or any man, from anything I said, could say it was anything in the nature of a complaint against the Mowat Government.

Q. That is not answering the question; it is not what Mr. Baskerville might say, or could say, but it is what did you do; didn't you complain?

A. I cannot answer that question directly or distinctly by no or yes; if I answer it at all I would say no, but I would like to explain.

Q. Had you a conversation about election expenses?

A. We had.

The WITNESS.—My lords, may I not explain?

The CHAIRMAN.—You can make an explanation on re-examination.

Q. You had a conversation with him ?

A. I had several.

Q. When was the last one ?

A. We were friendly and we had many ; I do not know when the last one was.

Q. What did you say to him ?

A. Baskerville was talking to me about my election expenses, and wondering that the party didn't assist me, and he said his party always assisted him.

Q. Did he begin the conversation, or you ?

A. I think the conversation just came up incidentally.

Q. You are putting it as though he began the conversation by sympathising with you, is that so ?

A. I do not know how it commenced, but he sympathised, that I can say ; the conversation arose incidentally.

Q. You do not recollect which commenced it, you would not say ?

A. No.

Q. At all events you had a talk about expenses ?

A. Yes.

Q. You told him the expenses were very heavy ?

A. Yes, I guess I did.

Q. And that you had to bear them, yourself ?

A. Yes, and that I was quite able to bear them if they were ten times as much.

Q. Yes, but you felt rather sore about it ?

A. I am quite able to do it.

Q. I am not talking about your ability ; you may be worth a million, but didn't you feel sore that you had to do it ?

A. He complained that the Government spent too much money in the Algoma election, and I said that I did not believe they had, or else why did not they do so in my own constituency

Q. Hadn't you felt sore that the party or the Government had not paid your election expenses ?

A. I did not feel sore, because I did not think the Government used to do so.

Q. Did you express any feeling of the kind to him ?

A. In reply to his statement about the Government expending money in Algoma, I said, if they did so why wouldn't they pay my expenses ; I have plenty of men will prove what I said.

Q. Probably we can prove it by yourself ?

A. I think I would act more honorably than repeating private conversation. If I were to do so, perhaps it would be more to his detriment than mine, but I will act more honorably than that.

Q. You think this was a private conversation ?

A. Yes ; we had several private conversations. If he wants them retailed, certainly I am not afraid of them.

Q. It was not a private and confidential affair, was it ?

A. This was not, but there were other matters which were, and which were intended to injure me, and to be to my detriment. If they had not, they would not have been mentioned yesterday, I think.

Q. You think so ?

A. I think so ; that is my candid opinion.

Q. This was not a private conversation at all. Didn't you state it in several conversations ? Didn't you say the same thing to Mr. Bunting ? Didn't you say it at the dinner table at the hotel ?

A. Yes, I said several times that if the Government had spent so much money in the Algoma election, they might pay my expenses. I said it in the way of retaliation.

Q. It was not a private affair, then ?

A. I see in his evidence that he says I stated I was dissatisfied with the Mowat Government. I did not say anything of the kind.

Q. Could he infer anything else from that ?

A. No, he could not infer that. Didn't he say himself that he never heard me say anything except what was said in the police court, and in the presence of Mr. Hart, Mr. Bishop, and others ?

Q. You did not express dissatisfaction with the Mowat Government ?

A. No.

Q. You were not in that respect dissatisfied ?

A. No, not in the slightest.

Q. You said they had been paying so much in Algoma ?

A. I did not think they did so.

By the CHAIRMAN.—Q. You were using that as an argument against the idea of their having paid money in Algoma ?

A. Yes.

*Re-examined by Mr. Blake.*

Q. Just mention in what connection it was that your expenses in connection with your election were referred to ?

A. Baskerville and I were in conversation, and he told me it must have cost me a great deal of money and a great loss of practice, as he said, I had a large practice—for he used to be up in my place. He asked me if the Government didn't assist me, and he said it was a curious thing, because his expenses were paid in Ottawa, and it was a curious thing that mine were not.

Q. Then what was it that was said in connection with Algoma ?

A. It was during the debate on the Algoma election ; we used to be chatting down stairs at the table, and Baskerville and some others used to say that the Mowat Govern-

ment expended a great deal of money during the election, but I said I did not think so, for if they expended money in Algoma, why didn't they do so in my case?

Q. Had they spent money in your case?

A. No.

Q. And did you complain?

A. Nothing more than that.

Q. That was your argument?

A. Yes.

Q. Do you recollect, on thinking it over, which of the gentlemen it was, Mr. Bishop or Mr. McKim, that said in the interests of the country you should go on?

A. Mr. Bishop said that.

Q. Did he specify more at length, and if so mention in what way, how it would be in the interests of the country that you should go and see Mr. Bunting?

A. He said there was a great deal of money and corruption being used, and if that sort of thing could be brought to a close and exposed, it would be in the interests of the country.

Q. I didn't catch which of them it was that said there was a boiling cauldron of corruption going on at Ottawa, and Wilkinson was carrying it on here?

A. Bishop said that.

Q. Whatever your inference may be, there was nothing more said by Mr. Pardee or Mr. Fraser than to let them go ahead and see what they would do?

A. Yes, that is all they said; I had no knowledge of Mr. McKim doing anything, or of any other matters going on.

Q. Then in answer to Mr. Caswell, in regard to Kirkland, you said that he and Wilkinson seemed to have a common interest at one interview. Had the Mowat Government a defined timber policy?

A. Yes.

Q. And would these suggestions which were being made by Kirkland interfere with that policy?

A. They would.

Q. Were you aware, as a matter of fact, whether the Mowat Government would assent to what Kirkland was desiring of them or not?

A. I was not aware.

Q. You didn't investigate that?

A. No.

Q. Nothing further passed between you and Mr. Baskerville, that is of moment? Mr. Baskerville answered questions yesterday without any statement of their being private?

A. A great many conversations took place between us, but I do not think they have any bearing upon this case; it is a matter of friendship, and I shall not be as dishonourable as I think he was.

Q. Who was it first mentioned about the question of Coalition?

A. I think it was Wilkinson.

Q. Was that communicated to you by anyone else?

A. By Mr. Bunting.

Q. In the conversation at the *Mail* office?

A. Yes.

Q. Was it stated why there was to be a Coalition?

A. Both stated that party politics had been carried too far in this Province, and that it would be in the interest of the Province to have a Coalition.

Q. He didn't suggest to you that there was to be a Coalition at Ottawa as well as Ontario?

A. No, he never suggested that.

By Mr. CASWELL.—Q. In answer to Mr. Blake, you said the Local Government had a timber policy? Explain what it was.

A. I am not thoroughly posted.

Q. Can you give us in a general way the timber policy of the Government?

A. Well, that the timber limits are put up at public auction at certain times, and when the timber is taken from the land, the land reverts to the Crown.

Q. The land never belonged to the person holding the timber limit?

A. No.

Q. He would be simply a licensee?

A. Yes, I understand that is the policy.

Q. The Government would sell the timber license—put it up by auction?

A. Yes.

Q. Has that always been their policy?

A. I think that is their general policy, but I am not an old politician.

Q. You have been connected with politics ten years, have you not?

A. No, not for more than half that time.

Q. You do not know anything about selling it without advertising?

A. No, I think it is in Ottawa where they do that sort of thing.

Q. You don't know about their selling licenses without advertising?

A. I do not think that is generally the case.

Q. Do you remember when Mr. Scott was in the Crown Lands Department?

A. No, I don't remember anything about that.

ARCHIBALD BISHOP, called by Mr. Blake and sworn:

Q. You are a member of the Local Legislature of Ontario?

A. Yes.



Q. For what riding?

A. South Huron.

Q. Were you present at the last session?

A. Yes.

Q. You are a member of the Reform party?

A. Yes.

Q. Do you recollect seeing Dr. Dowling at any time last session?

A. Yes, he stayed at the Continental Hotel where I stayed.

Q. Did you call upon him in company with anybody?

A. Yes, on the 13th of March Mr. McKim asked me to go and show him his room, I agreed to do so and went down with him.

Q. You showed him the room; did you do anything else?

A. I went in with him.

By the CHAIRMAN.—Q. To show Mr. McKim his room?

A. Yes.

By Mr. BLAKE.—Q. A conversation took place?

A. Yes, I went in. I was laughing; McKim had been keeping me posted during the session. He said they thought they would buy Dr. Dowling. I thought he was joking and I went in laughing, and the Dr. asked me what I was laughing at. I said it would surprise him when I told him what was going on, and he said, "what is it." I said "these Tories think they can buy up enough of us poor Grits to turn out the Mowat Government and put in Meredith." He said, "whom did they intend to buy." I said, "You will be surprised to hear that they intend to buy you." He said, "is that the opinion they hold of me?" "Well," he said, "I wouldn't have anything at all to do with the business if there is to be anything crooked in it." I said, "McKim will tell you what he wants and then you will see whether it is crooked or not." I said, "you are in a dangerous condition, and dangerous diseases require dangerous remedies." The doctor seemed a little scared and white, as if he thought we were going to lay a trap for him. I told him there was no trap; that there was no danger, as the Government knew what was going on; and if he thought we were putting him in a trap he had better see some members of the Government so as to assure himself. McKim told him what he wanted, and he looked at me again and said, "now I don't want to have anything to do with this." I said, "you may be sure it is rather a strange business, but to go on, for my opinion is this, that this is only the scummings of a boiling cauldron of corruption at Ottawa, which were overflowing here, and I said if you can do anything to put a stop to it it will be for the good of the country and for the good of the party

Q. He went down?

A. McKim said to me, you had better go, but I said, I am too rabid a Grit, and there are no protests hanging over my head, and I am not in financial difficulties, so they will not take me

Q. They did not try you?

A. No, I didn't know anything more than in regard to Dr. Dowling.

Q. Had you heard anything about any approaches being made to members until this occasion when you were with McKim?

A. Well, McKim had kept me pretty well posted.

Q. Had you heard it in any other way ?

A. Not particularly ; I had heard it whispered and hinted ; one of the Opposition members, I think either on the Thursday or Friday said to Monk, the Opposition whip " Bishop is going to come to us." Monk shook hands with me and said, " we will be glad to have him." I laughed and said, " well, it will be a turn-out of the Government side, sure."

Q. Beyond that you had no knowledge or intimation ?

A. No, not from the parties themselves ; it was merely hearsay.

Q. Did you know Wilkinson ?

A. I never saw him until I saw him at the police court.

Q. Did you know Bunting ?

A. I have seen him, but never spoke to him.

Q. Did you see him in the earlier part of the session ?

A. Yes, he was often down at the House.

Q. But you never spoke to him ?

A. No.

Q. They knew you were rabid ?

A. Well, I don't know ; they treated me that way

By Mr. MEEK.—Q. How did you know what was going on

A. From reports ; McKim gave me the most information.

Q. When did he first give you any information ?

A. I could not say as to the date, but it was some time before that—before the 13th of March.

Q. Long before ?

A. I would say two or three weeks.

Q. That was the first he told you ?

A. Yes.

Q. Was that the first you knew of anything going wrong or likely to go wrong ?

A. No, although that was the first definite news ; I was under the impression—I always surmised there was something.

Q. Did you hear from any member of the Government about anything ?

A. No, I did not.

Q. Never at any time ?

A. No.

Q. You had no interview with Mr. Fraser or Mr. Pardee ?

A. No.

Q. Never spoke to either of them ?

A. Not about that ; well, afterwards I did speak to them ; I said if they could do without Dr. Dowling again at the police court, as he was rather ill.

Q. Did you ask them whether Dowling was to go to see Wilkinson?

A. No.

Q. You advised Dowling to go?

A. Well, I thought it would be as well.

Q. Did McKim advise him to go?

A. Yes he spoke to him in that kind of way; he would rather he would go, but he did not insist strongly.

Q. It was from what McKim told you that you came to the conclusion that there was some of the scummings of this boiling cauldron that came over to Toronto?

A. Yes, in the shape of thousand dollar bills.

Q. Did McKim speak of any thousand dollar bills before the 17th of March?

A. He spoke of money and positions—thousands of dollars of money.

Q. Did he think it was a wave of corruption; was he anxious to get at the bottom of it?

A. He was anxious to catch them if he could.

Q. Who did he say had employed him?

A. He didn't say anybody had employed him.

Q. Under whose authority or direction was he acting?

A. I think he was acting under his own.

Q. He was a spy on his own account?

A. You can call it that if you please. All I can say is that from what he told me he was very much insulted, because he said that because he was broken down financially these Tories thought he could be bought, that they thought they could catch him, but that he would catch them before he was through.

Q. It was on account of his indignation that he was pursuing the matter?

A. I think so.

Q. Did the fever seem to abate in the matter at all, or did it keep on?

A. I think it is pretty well abated now.

Q. But at that time?

A. He was doing his best to catch them, I think.

Q. Did he tell you from time to time what he was doing?

A. Yes, after telling me the first time.

Q. Did you advise him?

A. I didn't think he needed advice; I thought he knew more about it than I did.

Q. He knew more about that kind of business than you did? on the principle that a rogue might catch a rogue?

A. I didn't consider him a rogue, but a respectable man.

Q. Did you know him ?

A. Yes, for a long time.

Q. As a member of the House ?

A. Yes.

Q. Not in any other way ?

A. No.

Q. You have had no business connections with him ?

A. No, but I have heard him very highly spoken of.

Q. And you have heard him spoken of very much in the opposite way ?

A. No, I never did.

Q. You have read the papers ?

A. Well, reading is not hearing, in my opinion.

Q. You must have spoken to people of another stripe ?

A. Well, it was a Conservative that I heard. It was Mr. Smillie, Manager of the Huron and Erie, in London.

Q. When was that ?

A. Every time I was doing business with Mr. Smillie.

Q. What occasion had he to speak about McKim ?

A. Because McKim was doing business with his company.

Q. And it was simply through McKim that you knew the Government knew all about it ?

A. That was how I knew it.

Q. Did McKim report to you from time to time what he was doing ?

A. Not from time to time, but as we were walking down to the House he would tell me.

Q. Did you live at the same hotel ?

A. No.

Q. Did you meet every day ?

A. Yes, at the House.

Q. But to speak to each other ?

A. No, except occasionally.

Q. What hotel were you at ?

A. The Continental.

By Mr. CASWELL—Q. What authority had you for thinking that there was a boiling cauldron at Ottawa ?

A. That was my opinion.

Q. From what did you form that opinion?

A. From the papers.

Q. What papers do you read?

A. The *Mail* and the *Globe*.

Q. What paper did you form that conclusion from?

A. Mostly from the *Globe*.

Q. Did you give that as an opinion or as a fact?

A. I gave it as my opinion.

Q. Dr. Dowling I understood, put it the other way—that there was a boiling cauldron of corruption; you prefaced it with the words, “it is my opinion?”

A. I believe I did.

Q. You have no means of knowing that there is anything of the kind except by the newspapers?

A. Well, everyone comes to their own opinion about these things, and that is mine.

Q. You formed the opinion from the newspapers?

A. Yes, from reports.

Q. Has this boiling cauldron been there for a long time?

A. Well, it seems to be getting larger.

Q. Has it been there during the present administration at Ottawa?

A. I think it has.

Q. Do you think it was there just before that time?

A. Well, it had gone out considerably at that time.

Q. Do you say it had gone out?

A. Pretty nearly, for the five years.

Q. It hadn't ceased altogether? How did you form the opinion of its going out, did you form that from the *Globe*?

The CHAIRMAN—What is the use of continuing this examination? It is Mr. Bishop's opinion, but it is not stated as a fact.

Q. You say that McKim for two weeks prior told you what was going on?

A. I would not swear to two or three weeks, but for some time.

Q. Did he give you any details of what was going on?

A. Yes, he spoke about these parties trying to buy up members at the first of the session, then it quieted a little, and then it commenced again.

Q. Did he indicate who the parties were who were doing it?

A. Oh, yes, he gave me names.

Q. Did he tell you he had been trying to get money from any of these men?

A. No.



Q. Did he ever mention Kirkland's name?

A. Yes, Kirkland, Wilkinson, Meek and Bunting.

Q. He didn't tell you he asked for two thousand dollars from Kirkland?

A. No.

Q. Did he tell you Kirkland had offered him money?

A. He told me he had been offered money.

Q. Did he tell you by whom?

A. I could not say whether it was by Wilkinson or Kirkland; I did not pay particular attention to the different names. I understood that there was money going to those willing to take it.

Q. Did he tell you that any person offered him money?

A. Yes, I think he told me there was money offered to a small amount, and some office at some place away up in the North-West, as well, possibly worth considerably more in that way than in the shape of money.

Q. Did he tell you he asked Kirkland for any money?

A. No, he did not.

JAMES MARSHALL FERRIS, called by Mr. Blake, and sworn.

Q. You are a member of the Legislature of Ontario?

A. I am.

Q. And have been for some years past?

A. Yes.

Q. For what constituency?

A. East Northumberland.

Q. Were you present at the last session?

A. Yes.

Q. You are a member of the Reform party?

A. Yes.

Q. Do you know Mr. Wilkinson?

A. I do.

Q. When did you first become acquainted with him?

A. I think some seven or eight years ago.

Q. Where has he resided latterly?

A. In Cobourg.

Q. Is that in your constituency?

A. No, his residence is in West Northumberland, but his employment has been principally in East Northumberland.

Q. What has been his employment ?

A. He has been one of the Commissioners for buying the right of way for the Murray Canal and the Trent River Canal.

Q. During what period of time was he thus employed ?

A. Well, I think at least for the last year—not regularly, but by the day, paid for the days he was engaged at work.

Q. In whose employ was he ?

A. The Dominion Government.

Q. Do you know where he is now ; is he residing in Cobourg ?

A. I do not know ; I think he is not residing in Cobourg.

Q. You haven't seen him ?

A. No.

Q. Do you know how he is employed at present ?

A. I have heard that he has some employment out West.

Q. During the past nine or ten years have you taken an active interest in politics or not ?

A. I have taken an active interest.

Q. Reasonably active or very active ?

A. Reasonably active, from my point of view.

Q. And from the point of view of your opponents ?

A. Reasonably active, too.

Q. And as to Mr. Wilkinson ?

A. I think he has been reasonably active.

Q. On the same side ?

A. No, I usually met him on the other side.

Q. Did you see him at the House ?

A. I don't remember seeing him at the House, but I knew he was in the city ; I saw him during the last session of the House. I knew he was here.

Q. Were you aware of any approaches being made to any members of the Reform party ? supporters of Mr. Mowat ?

A. I was aware by the conversation of one member with another, and conversing with other members.

Q. When did you first hear it in that way ?

A. Immediately on the assembling of the House.

Q. How long did these rumours continue ?

A. They continued during the first ten days, or during the debate on the Address, but after that there seemed to be a lull.

Q. And when were they renewed, if they were renewed at all?

A. Well, I cannot speak of the date, but about the time this timber policy resolution was to be brought forward; I think on the Monday or Tuesday following the Sunday which was referred to.

Q. How long before the *denouement* occurred?

A. Three or four days.

Q. You spoke of a resolution on the timber policy; what do you know of that?

A. I know it was expected that a resolution was to be brought forward; I understood that from Mr. Kirkland—that it was to be brought forward by the Opposition.

Q. When did Mr. Kirkland tell you that?

A. I think it was on the morning prior to his arrest.

Q. He was arrested on the Monday?

A. I think it was on the Monday morning, walking down with me to the House. That was not the first time we had had a conversation.

Q. But he told you definitely on that morning that the resolution would be brought forward?

A. Yes, we walked down together, and he said in conversation that the session was evidently drawing to a close, that the business was rushing, that it could not last much longer, and he was afraid he would scarcely get time to have his resolution discussed. I said, "if you are going to have a resolution discussed, I don't think there is much time to be lost in having it done."

Q. That was not the first time you had had a conversation with Kirkland on the subject?

A. No.

Q. Do you recollect when was the preceding one?

A. Nearly every day; I would see him nearly every day. We were boarding at the same hotel, and our rooms were adjacent, and he was in my rooms frequently, talking over the timber policy and discussing the better policy which he thought should prevail.

Q. Did you know before Monday, and if so, how long before Monday, that it was proposed to bring forward a resolution on the subject?

A. Well, I knew for some time that Kirkland was desirous of having a resolution brought forward, but I didn't know until that Monday that it was to be brought forward as a party measure.

Q. Did he tell you that on that Monday?

A. No, he left me, saying that he was going to see Meredith and get him to hurry up, lest there should not be time to discuss it.

Q. Did you know from anybody else anything about the resolution to be brought up on the timber policy?

A. No, I did not know other than that the circumstances all pointed to that being the ground of assault. The proceedings before the Public Accounts Committee all seemed to me to make capital for an assault on the Crown Lands Department.

Q. You didn't know, except from these circumstances, whether they were of much

weight or not; you didn't know from any other matter that that was to be the ground of attack, or that they were going to propose a resolution?

A. I didn't know it from any person likely to introduce the resolution. We all seemed to know that that would be the ground of attack.

Q. Was there any protest against your election?

A. Yes.

Q. And at this time was the trial of your case over?

A. Yes.

Q. Disposed of in your favour?

A. Yes.

Q. Was anything in the shape of an approach made to you?

A. Well, yes, I think it was in the shape of an approach, I thought it was in that shape.

Q. What shape did it take?

A. Well, I don't know whether I might call it an approach or not, because I don't know whether the person who spoke to me had any authority to speak in the matter at all or not. It was not a person in public life who spoke to me.

Q. Was he a Conservative or a Reformer?

A. A Conservative.

Q. In your constituency?

A. Yes, he resides in my constituency, or rather his business is in my constituency; he lives in Toronto.

Q. What was the nature of the statement that was made to you?

A. Nearly the same as Mr. Bunting had spoken of before—that party lines were too strongly drawn, and that the tension of party could not exist as it was, and that it would be far better that there should be a cessation of this high strung politics, and a moderate party established; and, of course, as I was a moderate man, that I ought to belong to that party.

Q. And did you accept the statement of your being a moderate man?

A. Oh yes, I accepted that statement.

Q. Did you believe that to be true?

A. Yes, I am a very moderate man.

Q. And did you go in at all for this Coalition?

A. No, nothing further than that I heard what was to be said.

Q. Was there anything further passed—any other conversation in connection with it?

A. I just felt this, that if I had drawn out, or seemed to listen to the proposals, they were ready to make the proposals, but inasmuch as I did not, they did not take any tangible shape.

Q. How did the interview end, then.

A. The interview ended with the gentleman saying he would see me again.

*Q.* And did he ?

*A.* No, he tried to see me again, and wrote a note once or twice asking to see me, but I declined.

*Q.* Any place mentioned to meet ?

*A.* Yes.

*Q.* Where was it ?

*A.* The Club Chambers.

*Q.* And what date would that be ?

*A.* I got a note on the Sunday preceding that Monday night.

*Q.* That was the 16th ?

*A.* It would be on the Sunday preceding that Monday, at any rate.

*Q.* And did you go into the Club Chambers ?

*A.* No, I did not.

*Q.* So that you did not give any heed, apparently, to what was said ?

*A.* No.

*Q.* Did you ever meet a Mr. Stimson ?

*A.* Not to my knowledge.

*Q.* Or Mr. Lynch ?

*A.* Not to my knowledge.

*Q.* Where was it you were boarding ?

*A.* At the Rossin House.

By Mr. CASWELL—*Q.* You know Mr. Kirkland intimately, I suppose ?

*A.* Very well.

*Q.* Did he make any improper approach to you ?

*A.* He did not.

*Q.* He acted towards you as a gentleman, didn't he ?

*A.* Yes, he did.

*Q.* He never asked you to do anything improper, or to change your side ?

*A.* No, he did not.

*Q.* He did not ask you to vote against the Government, or anything of that kind ?

*A.* Never mentioned voting—discussing the policy of the Government

*Q.* And he often discussed that with you ?

*A.* Oh, yes.

*Q.* And I suppose tried to convince you that it was a reasonable thing he asked of you ?

*A.* Yes.



Q. You speak of him speaking about a resolution to be introduced on the morning he was arrested?

A. Yes.

Q. And he mentioned Mr. Meredith's name in connection with it?

A. Yes.

Q. Well, what was said, as near as you can tell us?

A. We discussed the matter of his policy walking down from the Rossin House to the House, and as we got down to the House it turned out that the duration of the session was the subject, and I said I thought the session would close in a few days, and that he would not have much time for his resolution, now that the Government would probably take all the time; "well," he said, "I will go over and see Mr. Meredith at once."

Q. I suppose it was on account of your statement about the end of the session?

A. I suppose it was.

Q. I suppose it is usual for the Government to take most of the time towards the close of the session?

A. Yes, it is always the case.

Q. Did he give you to believe that there was anything going on between him and Mr. Meredith—anything improper?

A. Not at all; the only impression I got was that Mr. Meredith was in possession of the policy that he thought should prevail.

Q. That gentleman that you mention asked you to go to the Club Chambers was not any of the parties connected with this inquiry—Mr. Bunting, or Mr. Meek, or Mr. Wilkinson, or Mr. Kirkland?

A. No.

Q. I suppose Club Chambers is a hotel?

A. I believe it is a kind of private hotel.

Q. It is not a place where persons of only one party stop?

A. I understand that any persons who please may go there.

Q. What I mean is, you do not understand it to be the headquarters of any one party?

A. No.

MR. BLAKE.—I should like the names of Thomas A. Keefer, John Shields, F. Stimson, and Thomas Marks be called.

MR. HECTOR CAMERON.—In reference to Thomas A. Keefer, I may state what I communicated to Mr. Johnston. I received a letter a few days ago from Mr. Keefer, stating that it would be impossible for him to be here on the day named, as he had some important engagements with gentlemen from the States connected with mining matters, but that he would be here on the 21st. I merely mention this to explain why he is not here.

THE CHAIRMAN.—I suppose if he is here on the 21st. that would be time enough for the examination.

Mr. MEEK.—Have all these men been subpoenaed?

Mr. BLAKE.—Thomas A. Keefer, John Shields and Thomas Marks have been subpoenaed.

Mr. MEEK.—F. Stimson has not.

Mr. BLAKE.—He could not be found.

Mr. MEEK.—I submit that his name cannot be called.

The CHAIRMAN.—If he has not been subpoenaed, it cannot.

The names of Thomas A. Keefer, John Shields, and Thomas Marks were then called, to which there was no response.

The CHAIRMAN.—Stimson's name may be called to ascertain if he is in Court.

The name of F. Stimson was then called, to which there was no response.

JOHN HENRY POPE, called by Mr. Blake, and sworn :

Q. You are a member of the Dominion Parliament, Mr. Pope?

A. I am, sir.

Q. And what is your position in the Government?

A. Minister of Agriculture.

Q. Anything more just at present?

A. Yes, acting Minister of Railways and Canals.

Q. How long have you been Acting Minister of Railways and Canals?

A. This time?

Q. Yes?

A. I suppose from about the last of May last.

Q. I presume from your answer that you had been on previous occasions Acting Minister of Railways?

A. Yes, two or three.

Q. Then prior to May, when had you been Acting Minister of Railways?

A. I think in 1881—I am not quite sure about that—1882, and 1883. I will not say positively 1881.

Q. You are not positive about '81, but you are about '82 and '83?

A. Yes.

Q. How long have you been Minister of Agriculture?

A. Since 1878; I was previously, some years ago.

Q. Were you present during the whole of the last session of the Dominion Parliament?

A. I was not. My health was very poor. I very seldom attended at all in the evening, and the latter part I was obliged to go away.

Q. Do you recollect when the House began to sit?

A. In January, I think.

*Q.* And do you recollect when it closed ?

*A.* I could not say.

*Q.* Are you not in good health now ; would you rather sit down ?

*A.* I would rather sit down. (Mr. Blake gave the witness a chair.)

*Q.* Do you recollect when the session closed ?

*A.* I think it was in May.

*Q.* Do you recollect how long before the close of the session you were obliged to leave ?

*A.* I do not recollect, but I think it must have been the first of April or the last of March.

*Q.* And from that period did you remain continuously absent from Ottawa ?

*A.* Yes.

*Q.* The whole time ?

*A.* The whole time ; of course longer than till the last of the session.

*Q.* Did you leave the Dominion ?

*A.* I did for a little while ; I think perhaps I was away three or four weeks, perhaps a month.

*Q.* At all events, you did not return to Ottawa at all after the end of March or the first of April ?

*A.* No.

*Q.* For a considerable time after the close of the session ?

*A.* No. Of course I was in the Dominion the latter part of that time. I was at my home.

*Q.* Where is your home ?

*A.* In the County of Compton, in Cookshire.

*Q.* In the Eastern Townships ?

*A.* Yes.

*Q.* Then, were you in New York in the month of March ?

*A.* I think it might have been March. I am not quite sure whether it was in March, but when I went away, I was going south as far as I could. It was getting late in the season, and I durst not go too far. I was there probably a week, or it may not have been more than four days.

*Q.* And from New York where did you go ?

*A.* I went to Philadelphia by easy journeys, and then to Washington.

*Q.* And you cannot give me any nearer the date, than that you think that was in the month of March ?

*A.* No, I cannot.

Q. Do you know a Mr. Frederick Stimson?

A. Yes.

Q. Did you journey with him to New York?

A. No.

Q. Did you meet him there?

A. No.

Q. Was he in New York at the same time?

A. Not that I know of.

Q. Did you meet him in the United States?

A. No.

Q. Did you meet him in Canada?

A. No—oh, I met him in Canada; I saw him in Ottawa.

Q. Do you recollect what the period of your seeing him in Ottawa was?

A. I do not know the date—when he first came down from the North-West.

Q. Was that in the month of March, that you recollect, or if not, what other time?

A. I cannot fix the date, but I should think it might have been in February.

Q. And if it was not in February, would it be in March?

A. Yes.

Q. It was either of those two months?

A. Yes.

Q. What had he been doing in the North-West?

A. He, with others, have a ranch company—raising cattle.

Q. What portion of the North-West?

A. I could not tell you.

Q. As nearly as you can?

A. Well, I could not tell you.

Q. Couldn't you give the nearest place to where his ranch is?

A. I should not think it was very far from Fort McLeod—but I could not tell you.

Q. That is, so far as you know, the nearest place or locality known to his ranch is Fort McLeod?

A. Well, I do not know. I should think it was not far from there.

Q. Do you know the name of the company?

A. No, I do not.

Q. Who, in addition to Mr. Stimson, are interested?

A. Well, I know of Andrew Allan and Captain Milburn.

Q. It is that same ranch ?

A. Yes.

Q. Do you know whether as a matter of fact he is a partner in it or the manager of it ?

A. I should think he was both.

Q. I believe that is correct. And do you not know any other person interested in the ranch besides these three ?

A. I should think there are others, but I do not know who they are.

Q. How long before that had you seen Mr. Stimson—before this period in February or March ?

A. I should think it was two years.

Q. Had he been that length of time in the North-West ?

A. My impression is two years—I won't say positively—perhaps less than two years, but somewhere in that neighborhood.

Q. Had he been up in the North-West during those two years ?

A. Well, not in the North-West, if he was purchasing cattle on the other side of the line.

Q. But either in the North-West or purchasing cattle in the northern portion of the Continent ?

A. Yes, I think so.

Q. Then, prior to that had you seen or known Mr. Stimson ?

A. Yes, I had known him.

Q. Where had he resided ?

A. In Compton.

Q. In the same place where you reside ?

A. In the same county—not in the same place.

Q. And how many years had you known him ?

A. Well, I could not say that. I should suppose it must have been more than ten years. I knew his father before him.

Q. Was he as described, a tall man with rather stooping shoulders ?

A. You mean this Stimson ?

Q. Yes.

A. Well, I should think medium height.

Q. Would you recognize him from his photograph, do you think (showing) ?

A. Yes, I think it is very much like him.

Q. Which of these do you think is most like him ?

A. They both resemble him. I would not swear it was him, but they both resemble him.



*Q.* You would not be surprised to be told that this is his photograph?

*A.* No.

*Q.* Do you think both were taken about the same period?

*A.* I should think so, although I would not say positively.

*Q.* That, at all events, is the person you know as Frederick Stimson?

*A.* I think it resembles him.

*Q.* You have no reason to know that is not Frederick Stimson?

*A.* No.

*Q.* What was the position of Stimson in Compton when you first knew him ten years ago?

*A.* I should think at that time he was a farmer.

*Q.* Then, when had you first any dealings or transactions with him?

*A.* I never had any.

*Q.* Had he ever to go up to Ottawa from Compton?

*A.* He was at Ottawa at the time he was getting the lease of his lands. He was there for some time.

*Q.* How long ago would that be?

*A.* It would be about the time he went out there first. As I say, I cannot give the date—it might be two years.

*Q.* Had you seen him in Ottawa prior to the period of his being there two years ago?

*A.* I do not think so. I have no recollection of it.

*Q.* Was that the first application he had made for a ranch?

*A.* I think so—the first that came to my knowledge.

*Q.* Do you recollect whether a ranch had been given to Mr. Stimson, of Cassel, Stimson & Company, of Montreal, the people who failed recently—is that any relation of this Stimson?

*A.* He is a brother, I believe.

*Q.* That is the case, I believe. Are you aware whether a ranch was given to them or not?

*A.* I am not aware.

*Q.* And you do not know whether that Stimson had anything to do with this ranch?

*A.* No.

*Q.* Did he remain a farmer in Compton until he went to Ottawa and went on the ranch?

*A.* He remained a farmer. His father was pretty wealthy, and he was not a man that worked at farming.

*Q.* What would he do?

*A.* He oversaw his farm and used to travel about. I do not think he ever worked much at farming—I do not know.

Q. His father was reasonably well off, and he had a son that spent a little of his money, perhaps?

A. He sent him to the Continent, as I was told.

Q. Then he came to Ottawa, and you say you do not recollect seeing him there until about two years ago, when he was applying for the ranch; and do you recollect how long he remained there?

A. I think he remained a long time.

Q. Do you know whether he was seeking for anything except this ranch?

A. I never heard of it.

Q. Who was then controlling the department to which he would apply?

A. Sir John Macdonald.

Q. And is that so at the present moment—does he still control the department?

A. He is acting now.

Q. And who has control of that department?

A. Mr. Macpherson.

Q. Do you recollect how long before you left for New York on account of your health, in 1884, was it that Mr. Stimson had come down from the North-West?

A. I do not know, but it was some considerable time.

Q. Do you know a Mr. Wilkinson, Mr. Pope—J. A. Wilkinson?

A. Yes, I have seen him.

Q. I forgot to ask you whether you ever knew that Mr. Stimson had any other name but Stimson?

A. No.

Q. You never heard of any other name?

A. No.

Q. Or heard that he assumed another name?

A. I heard a rumor of it.

Q. When did you first hear the rumor?

A. I could not tell you, but it is not very long ago.

Q. Do you recollect whether it was before or after you left for New York?

A. Oh, it must have been after.

Q. Are you sure of that?

A. Oh, yes.

Q. Perhaps you can recollect where it was you first heard of it?

A. Oh, I cannot. It was just a chance rumor.

Q. And the chance rumor gave him what other name?

A. Instead of Stimson, I heard that he was charged with having assumed the name of Lynch.

*Q.* Well, after you saw Mr. Stimson on this occasion in Ottawa, when did you next see him?

*A.* I have not seen him since.

*Q.* Have you ever had any communication with him since?

*A.* None.

*Q.* By letter, telegram, or in any way?

*A.* No.

*Q.* What is the position called that Mr. Wilkinson has at the present moment?

*A.* I do not think he has any position; I do not know.

*Q.* No position under the Dominion Government?

*A.* Not that I know of.

*Q.* You would know if he had any position?

*A.* Well, I might not; but, I think that I should.

*Q.* Did you see Mr. Wilkinson in Ottawa before you left for New York?

*A.* Well, I saw him in the fall, I think.

*Q.* In the fall of 1883?

*A.* Yes.

*Q.* And did you not see him in 1884 in Ottawa?

*A.* No, I do not think I did.

*Q.* Then, what office was it he held under the Dominion Government in 1883?

*A.* In 1883 he was employed as valuator.

*Q.* In whose department would that employment be?

*A.* It would be in the Department of Railways and Canals.

*Q.* Then, who, during the period of time that he was employed as valuator, would be the head of that department?

*A.* Sir Charles Tupper.

*Q.* Did you assume when Sir Charles Tupper ceased?

*A.* Yes.

*Q.* Did he hold that office during the whole of 1883?

*A.* Certainly.

*Q.* In such matters as the employment of Mr. Wilkinson, is it the head of the department or the assistant, or who is it in the department that employs?

*A.* It is generally done on the recommendation of the Chief Engineer, and assented to by the Minister.

*Q.* By the head of the department?

*A.* Yes.

*Q.* And do you know whether as a matter of fact in this case that was done?

*A.* Oh, I have no doubt of it.

*Q.* In these appointments, is there any Order-in-Council passed, or is it a matter within the power of the head of the department?

*A.* I think there is an Order-in-Council passed; there generally is, not that it is absolutely necessary, but I think that is the practice.

*Q.* Would you be present at the meeting of Council where this order would be passed, or could you speak definitely on that?

*A.* No.

*Q.* Well, it is said that Mr. Wilkinson is now employed in inspecting certain lands of the Government in the North-West; do you know anything of that, as a matter of fact?

*A.* I do not know.

*Q.* In whose department, as it stands at present, would that employment be?

*A.* It would be in the Department of the Interior.

*Q.* And who is the head of that?

*A.* Mr. Macpherson.

*Q.* And has been for what length of time?

*A.* Well, I should think for eight or ten months.

*Q.* Mr. Macpherson is not now I believe at Ottawa?

*A.* No.

*Q.* Do you know where he is?

*A.* I understood that he was going to Hamburg, a place that he has visited for years on account of his health, on account of some affliction that he has.

*Q.* Do you know when he was supposed to return?

*A.* No, I do not; I suppose that depended on his health.

*Q.* When did he return last year; do you think it was in September or October?

*A.* I think in September, but I do not know that.

*Q.* I thought on leaving, he may have given some intimation of the time of his return?

*A.* No.

*Q.* So that about that employment we must get the information from Mr. Macpherson, or we must get the Order-in-Council?

*A.* My own opinion is that there is no employment.

*Q.* But if there be employment, it would be from either of these we might learn the fact?

*A.* Yes.

*Q.* As a matter of fact, have your deputies power to make these appointments?

*A.* No, they have not, as a rule.

*Q.* That is a matter submitted to the head, and then decided by Order-in-Council?

*A.* Ordinarily—not always.

*Q.* You have no settled rule; it is a matter left a good deal to the conclusion of the chief?

*A.* A good deal; but it is the practice that anything of any consequence is done by Order-in-Council.

*Q.* Who is the Clerk of the Council?

*A.* Mr. Magee.

*Q.* And has been for the past year?

*A.* Yes.

*Q.* When these persons are employed, by what means are the payments made to them?

*A.* They are made out of the appropriations for the work for which they are employed.

*Q.* Then, how is it the moneys are paid?

*A.* They are paid by the department.

*Q.* What is the means of transferring the money from the appropriation into the pocket of the person who is entitled to receive it?

*A.* That is done by Order-in-Council—no, it is done by the department; the first thing is, the appointment is made by Order-in-Council, and then the department pay them.

*Q.* Is it by cheque invariably that the money is paid, or how otherwise?

*A.* Generally by cheque.

*Q.* And that is a matter, I suppose, for the deputy of the department.

*A.* Yes, the deputy of the department, or probably the Auditor-General.

*Q.* Well, who signs all these cheques?

*A.* The deputy.

*Q.* That is, the deputy of the department signs them, and the Auditor——?

*A.* Pays them.

*Q.* Doesn't the Auditor countersign?

*A.* I cannot say as to that.

*Q.* Isn't there some countersigning of the cheque?

*A.* There would be some, but I am not familiar with that department.

*Q.* Isn't there one rule for all?

*A.* Yes, but I am not familiar with the paraphernalia of the auditing department.

*Q.* In your own department, for instance, who signs the cheques?

*A.* That would be the deputy.

*Q.* And is there any countersigning?

*A.* I do not think so; possibly the Secretary might.



*Q.* So that, according to your recollection, the money is paid out on the signature of the Deputy and some other officer, the Secretary, you think?

*A.* Yes.

*Q.* Do you know, as a matter of fact, apart from Mr. Wilkinson having any employment or not, whether there has been any office of Inspector of Lands in the North-West?

*A.* I do not know that there has been an officer called Inspector of Lands.

*Q.* Inspector of Colonization Lands?

*A.* I cannot say exactly what he is called. Mr. Stephenson is an officer to see whether people have settled.

*Q.* I was wrong in omitting the word Colonization—it is Inspector of Colonization Lands?

*A.* I think so.

*Q.* Do you recollect who has been appointed to that?

*A.* I think Mr. Stephenson, but I am not sure.

*Q.* I thought it was Mr. H. H. Smith?

MR. HECTOR CAMERON.—Mr. Smith is Inspector of Agencies.

MR. BLAKE.—We will have to put you in the box.

MR. CAMERON.—I saw it in the *Globe*—I am not sure of it.

MR. BLAKE (to witness).—Hasn't Mr. H. H. Smith received some appointment?

*A.* Yes.

*Q.* What is the name of the office to which he has been appointed?

*A.* He has taken the place of Mr. Pearce. I could not tell you the name of the office.

*Q.* Will you accept what Mr. Cameron says—Inspector of Agencies?

*A.* I could not say. It is not in my department.

*Q.* You therefore could not tell me whether Mr. Wilkinson had been appointed to assist him or not?

*A.* Oh, no.

*Q.* You tell me you do not know anything of any appointment of Mr. Wilkinson at the present moment?

*A.* I state that positively.

*Q.* Has he finished his work on the Murray Canal?

*A.* Yes. But still, some cases have come up, in which he was not alone the valuator, and they are not yet reported to the Department.

*Q.* Who is the other man?

*A.* Mr. Wood.

*Q.* Do you remember the Christian name?

*A.* I do not.

Q. These were acting jointly in the valuation of the lands, and you have not decided on all of them, but you think Mr. Wood is attending to these?

A. We have decided on them, but if anything comes up, Mr. Wood is appealed to

Q. Who is the Chief Engineer of the Government?

A. Mr. John Page, on canals.

Q. That would be under his supervision, would it?

A. It would be under his supervision as Chief Engineer. Of course he would have other engineers under him.

Q. Did you see Mr. Meredith or Mr. Bunting in Ottawa before you left for New York?

A. I saw Mr. Meredith for about probably—

Q. I was not asking you how short the time was?

A. Yes, but I want to give you the information—about ten or fifteen minutes.

Q. Make it ten seconds, if you like; I do not see why you should wish to shorten it; I suppose it was an agreeable meeting?

A. Most agreeable.

Q. Where was it you saw him?

A. At my house.

Q. Do you recollect the day of the week?

A. No, nor the day of the month.

Q. Did you see him more than once?

A. No; he just casually called.

Q. Was anybody with him?

A. I think Mr. Carling was with him, if I remember rightly.

Q. That is, the Honorable John Carling?

A. Yes.

Q. And was he looking you up too, or just came in with Mr. Meredith?

A. Just came along with him; as I say, I did not go to the House generally in the evenings; the doctor had instructed me that if anyone wanted to see me I was to see them at my house.

Q. Had you seen Mr. Bunting?

A. No.

Q. Sure?

A. Yes, quite sure.

Q. That is, in 1884, before your going away from Ottawa?

A. No, I have not.

Q. Sure of that?

A. Yes.

Q. Or Mr. Wilkinson?

A. No.

Q. Sure of that?

A. Yes.

Q. You had seen Mr. Stimson and Mr. Meredith?

A. Yes.

Q. Do you know where Mr. Stimson was boarding while he was in Ottawa?

A. No; I think I only saw him once.

Q. Do you recollect how long it was before you left that you saw Mr. Carling and Mr. Meredith on this occasion?

A. No, I could not tell you; I could not approach the day.

Q. Did you see Mr. John Shields in Ottawa before you left?

A. Well, I see him very often in Ottawa; I do not know whether I saw him at that time, but he has had business with the Department.

Q. With your Department?

A. With the Railway Department.

Q. During the period of time you were acting?

A. Yes.

Q. Had you seen him in Ottawa shortly before you left for New York?

A. Well, I could not answer the question; I should think very likely I had, but I do not remember of it.

Q. Well, in the Railway Department is the money paid out in the way in which you have indicated—by a cheque of the deputy, and then you do not know whether countersigned, but if countersigned, by the secretary or some clerk?

A. Well, I was speaking of the Railway Department when I spoke before.

Q. I thought you were speaking as Minister of Agriculture?

A. No; I was speaking of the Railway Department; small sums are paid out in that way very often; if it is money paid on a contract, or something of that kind, it is paid by the Auditor as a general thing on a cheque given by the Deputy Minister and Secretary.

Q. I do not exactly see what it is that the Auditor has to do with these cheques; the Deputy Minister, I suppose, signs them?

A. Yes.

Q. And then some other officer countersigns them?

A. Yes.

Q. And what does the Auditor do?

A. He signs them.

Q. So that there would be the triple signature to them?

A. Certainly.

*Q.* And the small sums might be paid on the signature of two, but when it comes to the larger sums, the signature of the Auditor is required?

*A.* Yes.

*Q.* That is the case, you say, in the Railway department?

*A.* Yes.

*Q.* Is it the same in your own department?

*A.* Yes, the Auditor audits them all.

*Q.* And not only audits, but when you say audits, he marks in some way the cheque so as to give it authenticity?

*A.* Yes.

*Q.* Then you were saying that on occasions money is paid out not by cheques?

*A.* I do not understand you.

*Q.* Is there any other way of paying money out?

*A.* I know of no other way than the way I have described.

*Q.* And I understand the way is with three signatures, or two signatures if the payment is small?

*A.* Yes.

*Q.* You know of no other way?

*A.* No.

*Q.* Whether it be a payment when the contract is completed or advances during the progress of the contract?

*A.* When the contract is finished, you have a report from the Chief Engineer, giving the amount, and it goes to the Auditor. Sometimes advances are made by Order-in-Council, and I think paid by the department on contracts.

*Q.* Is there any other way of money getting into the hands than the way you have mentioned?

*A.* No.

*Q.* Then you know of no other way of paying, either when the work is completed or on account?

*A.* No other way that I think of, this morning.

*Q.* Is that the mode in your department, or generally?

*A.* I think generally. Of course I do not know the other departments.

By the CHAIRMAN.—*Q.* Upon whom were those cheques drawn—who paid the cheques?

*A.* The Auditor.

By Mr. BLAKE.—*Q.* When you say the Auditor pays the cheque, do you mean that he has the actual money?

*A.* Oh, no. They would be paid by the Finance department after audit by the Auditor.

Q. Supposing this is the cheque, and you get the signature of the Deputy and the signature of the Secretary, and you get it countersigned by the Audit department, then you take that to the Finance department?

A. Yes.

Q. And they investigate it?

A. Yes.

Q. And then it is paid by the Finance department in the building, or do you go to a bank?

A. The Finance department give you a cheque on the bank.

Q. So that what you speak of would not be a cheque signed by the Deputy and the Secretary, but an order signed by them and then countersigned by the Auditor, and then the Finance department give you a cheque on the bank, and the bank gives you the money?

A. Yes, that is my impression.

Q. You are speaking positively as to your own department, and you think that is the way it is generally?

A. I am speaking generally, and I do not know of any exceptions to it.

Q. While you have been at the head of the Department, are you aware of any case in which money has been paid out otherwise than by the means described?

A. No, I do not know that I am. Of course the thing is more scattered. I could not tell you the *modus operandi* of sending money to England, for instance, or to a distance.

Q. Who is the Deputy of your Department?

A. Dr. Tache.

Q. That is, of Agriculture?

A. Yes, and Mr. Trudeau, of Railways.

Q. They would of course know with perfect accuracy the thing?

A. They would know all about it. It is more a matter of detail, and they would know more about it than I would.

Q. I was asking you whether you had seen Mr. Shields in Ottawa during the last session?

A. I have seen him less during this last session than perhaps any other session, for the reason I have given you before, that I was not out in the evening, and the doctor advised that people should not call upon me.

Q. Had he any dealings with your department in 1884?

A. No.

Q. Had you dealings with him in 1884, while Acting Minister of Railways?

A. Yes, with the Company—not with him personally.

Q. Who was the Company composed of?

A. Mr. Manning, Mr. Shields, Mr. McLaren—I do not know of Mr. Shields, but Mr. Manning, Mr. McLaren, and Mr. Macdonald. I do not know as Shields was one of the directors—I know the others were.



Q. But you cannot define exactly what his interest was?

A. No, I cannot.

Q. But you know he had some interest?

A. Yes.

Q. Then, had he any other dealings excepting that to which you have referred?

A. I do not know of any. I do not bring any to mind that has come within my knowledge.

Q. That would be a dealing with the Department of Railways?

A. Yes.

Q. What was the nature of the dealing?

A. It was a contract for building a railway.

Q. The whole of a railway?

A. A portion of it.

Q. And which railway was that?

A. The Canadian Pacific.

Q. Could you define what portion of the railway he was building?

A. It was a portion of the railway—a small portion, if you like, considering the whole distance—between Port Arthur and Winnipeg.

Q. Do you recollect how many miles?

A. I should think 67, but I am not quite sure.

Q. Was it divided into sections?

A. Yes.

Q. And had the sections various designations whereby you would know them?

A. Yes.

Q. What was this section?

A. Section B.

At 1.30 p.m., the Commission rose for recess.

The Commission resumed at 2.30 p.m.

The CHAIRMAN.—I have received a letter without a signature, advising a search for evidence in other directions.

The letter was handed to the Counsel for the Crown.

The examination of JOHN HENRY POPE was continued:

Q. At that period in March, are you aware that Mr. Shields had any other contract or was interested in any other contract with the Government?

A. I am not aware of that.

*Q.* Or are you aware of any contract in the year preceding, other than the one you speak of?

*A.* No.

*Q.* Are you aware as a matter of fact when that contract was completed?

*A.* When his interest in the contract was completed, or the interest of his Company?

*Q.* The interest of his Company; I do not know that he had an interest separate?

*A.* I do not know whether he had an interest at all or not, but the interest of that Company was completed when the Pacific Railway Company took that section over—I forget exactly the time.

*Q.* Would it be in 1883, or the beginning of this year 1884?

*A.* In the spring of 1883.

*Q.* And when was it finally settled as to what would be coming to this firm?

*A.* It was settled by arbitration.

*Q.* Do you recollect when that would be; before you went to New York, or after you returned?

*A.* Oh, it would be after. I think the arbitrators were sitting—I could not say the month—I was not acting then, so I could not give you the information.

*Q.* And perhaps from not acting then, you could not tell me whether Mr. Shields received any payments on account of that, before the award was made?

*A.* Of course they received progress estimates, as they do on all work.

*Q.* Then there was a period of time when the contract was taken over by the Pacific Railway Company?

*A.* Yes.

*Q.* And then there was a reference to arbitration, as I understand?

*A.* Yes, there was a reference to arbitration of two cases; one was to be decided before the other.

*Q.* What I ask is, after the period of time when the Pacific Railway took that matter over from the firm or the Company, were there any payments made before the award was made?

*A.* I should think there was a payment made last year probably—I do not remember; I should think there was a payment made of what was perfectly clear, what had not to go into the arbitration.

*Q.* Before the close of last year, you think, that is, in 1883?

*A.* Well, I could not tell you the time; I know there was such a payment.

*Q.* As far as you can remember?

*A.* Well, I should think it was in 1883.

*Q.* Are you aware of any payment being made, supposing that was in 1883, before the award was made in 1884?

*A.* No, I do not remember of any.

*Q.* Of course you can only cover the period of time during which you were acting?

*A.* Yes, and I was not acting.

Q. It would have been outside of your department?

A. I think I would have known it.

Q. How do you think it would have come to your knowledge?

A. Well, I think the application would have been made while I was acting.

Q. Why do you think that?

A. I was acting when the arbitrators were appointed; one arbitrator was appointed by us, one by them, and one by the Chief Justice of the Supreme Court, and at that time I think I was acting.

Q. And could you recollect the time at which the arbitrators were appointed?

A. Last year, in 1883, but I could not recollect the time.

Q. I suppose Mr. Trudeau would be able to tell us all about that?

A. Oh, yes.

Q. What is his Christian name?

A. T. Trudeau.

Q. Are you aware of any big payments having been made to the firm in 1884?

A. Yes.

Q. When was the first payment made that you can recollect?

A. It was after the arbitration.

Q. After the arbitration was closed?

A. Yes; it would be, I should think, in June.

Q. That is last June?

A. Yes.

Q. Do you recollect the amount of it?

A. \$100,000.

Q. Was all that came under the award paid?

A. No, it is not all paid yet.

Q. Any other sum paid?

A. Yes, one since.

Q. How much was that?

A. \$50,000.

Q. When was that paid?

A. Within the last few days; not to Mr. Shields, you know—to the Company.

Q. Do you know Mr. Wilkinson?

A. Yes, I know him.

Q. How long have you known him?

A. Not very long; I have seen him very little the last two or three years.

*Q.* He never was employed in your department, except while you were Acting Minister of Railways?

*A.* I do not remember that he was.

*Q.* Is there a list of the persons employed by the various departments?

*A.* No, but it could be got at.

*Q.* In what way?

*A.* By the payments that have been made.

*Q.* But is there no book containing a list of those employed?

*A.* Not for those employed temporarily.

*Q.* But for the rest is there a list?

*A.* Yes, the regular pay list.

*Q.* But no book, with an index, showing the name of so and so, that he came to the department at such a time, that his salary was so much, and so on?

*A.* Oh, yes, that is the pay list.

*Q.* In each of the departments there is a pay list?

*A.* Yes, I fancy so.

*Q.* Unless for mere temporary employment?

*A.* Yes.

*Q.* Are you aware of any moneys having been paid to Mr. Wilkinson during the year 1883, or 1884?

*A.* No, not that I know of; there must have been some payments made while he was valuator, because I was acting in the department then.

*Q.* Mr. Trudeau would be able to give us information on this point?

*A.* Yes.

*Q.* Anybody better than Mr. Trudeau?

*A.* No, I don't think so. I should advise, if anything of that kind is done, that he should know what he is expected to do.

*Q.* Then, did you see Mr. Wilkinson in Ottawa about the time Mr. Meredith was there?

*A.* No, I did not.

*Q.* When had you seen him prior to that?

*A.* I do not remember seeing him since last autumn.

*Q.* And was it then on the business of the Government that you saw him?

*A.* Yes, on the business of the Department.

JOHN CARLING, called by Mr. Blake, and sworn.

*Q.* You are a member of the Dominion Parliament, Mr. Carling?

*A.* Yes.

*Q.* What is the office you hold ?

*A.* Postmaster-General.

*Q.* How long have you held that office ?

*A.* A little over two years.

*Q.* You attended the session, did you, of 1884 ?

*A.* Yes.

*Q.* You recollect Mr. Meredith paying you a visit ?

*A.* Yes.

*Q.* He is the local representative of the same constituency you represent in the Dominion Parliament ?

*A.* Yes.

*Q.* And has lived for a good number of years in the same city ?

*A.* Yes.

*Q.* Do you recollect when it was that he came down to Ottawa ?

*A.* It was some time in the winter—I cannot recollect the day, but I think it was in February—either the latter end of February or the beginning of March.

*Q.* Do you recollect the day of the week that he came ?

*A.* Yes, it was on Sunday morning.

*Q.* Did he stay with you on that visit ?

*A.* Yes. I may say that he was expected to be there on Saturday, but he was blocked up by the snow storm. He came down with my daughter and his daughter.

*Q.* When did he leave Ottawa ?

*A.* On the same Sunday night.

*Q.* Did anybody accompany him ?

*A.* His daughter and my daughter.

*Q.* Did you ever see Mr. Frederick Stimson about Ottawa ?

*A.* Well, I have seen a gentleman I have heard since was Mr. Frederick Stimson, but I did not know him at the time.

*Q.* Would you know him from his photograph (showing) ?

*A.* I should think that is the same party who I was told was Mr. Frederick Stimson.

*Q.* When was it you saw him in Ottawa ?

*A.* Some time in the winter of 1884.

*Q.* Could you give us the date a little nearer than that ?

*A.* No, I cannot.

*Q.* Did you see him on more than one occasion ?

*A.* No, I happened to see him at the railway station ; I was seeing my daughter off, and I happened to see him.



Q. And you knew him to be Mr. Frederick Stimson?

A. I knew him to be the party, and I was told since that it was Mr. Frederick Stimson.

Q. When did you first see him?

A. About a couple of years ago.

Q. Was that the time he was arranging about the ranch?

A. Well, I could not say. I just met him at the Russell House in Ottawa.

Q. Were you introduced to him then?

A. I just met him; I do not know that I had a formal introduction.

Q. And you had no dealings with him?

A. None whatever.

Q. And you did not see him from that period in 1882 until 1884?

A. Not that I can recollect.

Q. Was that before or after Mr. Meredith had been down at Ottawa—I mean this occasion of seeing him at the railway station?

A. I do not remember whether it was before or after.

Q. I thought you could remember by whom it was you were seeing off?

A. I was seeing my daughter off.

Q. But she came down with Mr. Meredith?

A. She came down two or three times; she came down in January, and again in February.

Q. Do you know a gentleman of the name of Wilkinson?

A. I do.

Q. Did you see him in Ottawa this last winter?

A. Yes.

Q. At what period in 1884 was it?

A. I really could not say. It was some time during the session.

Q. And could you say that was about the time Mr. Meredith was down, or earlier or later?

A. I could not.

Q. Try and recollect?

A. I cannot recollect the date. He was not down to see me on business, or anything of the kind.

Q. But you cannot, on your oath, recollect whether it was before or after or about the time?

A. No, I cannot.

Q. And you could not tell me whether it was February or March that he was down?

A. No, I cannot.

*Q.* What is your best impression?

*A.* I should think the latter part of February or the beginning of March.

*Q.* So that whether that is absolutely correct or not, it would be much about the same time that Mr. Meredith was down?

*A.* I would not say it was the date Mr. Meredith was there, but it was about that time. It might have been ten days before or ten days after—I cannot tell.

*Q.* Was that the last time you saw Mr. Wilkinson?

*A.* I think so.

*Q.* Were you in either of the Middlesex elections yourself?

*A.* Yes.

*Q.* Did you meet Mr. Wilkinson there?

*A.* I did.

*Q.* Which of the Middlesexes?

*A.* West Middlesex.

*Q.* Which election was that?

*A.* The two elections took place at the same time, the Local and the Dominion.

*Q.* And on which occasion was that?

*A.* They were both held on the same day—it was in last December some time.

*Q.* He was working in the interest of the Conservative party?

*A.* I know he was speaking; I do not know that he was doing anything else; I met him at meetings, and I did not meet him any place else than at public meetings.

*Q.* It was something the same as at Ottawa—you met him?

*A.* Yes.

*Q.* And you just heard him speak, and it was in the interests of the Conservative party that he was addressing the meetings?

*A.* Yes.

*Q.* He has been known as an active politician?

*A.* Oh, yes, I think he was known as such; I think he found out the Big Push letter, and has been known as Big Push since that; he got George Brown's letter.

*Q.* And has been given all the honour, since, that he could be given on account of that?

*A.* Yes.

*Q.* And that is the last eight or ten years?

*A.* Since 1867, I think.

*Q.* And it is since that time that you have given him that honour?

*A.* I did not give him that honour; it was the Opposition press.

*Q.* But the honour of assisting the Conservative party in the various election contests?

*A.* Oh, yes.

Q. Had you any conversation with Mr. Wilkinson while he was in Ottawa?

A. Every time I met him, I had a conversation with him; I knew him and talked with him.

Q. And I suppose there was not an exception in the month of February or March?

A. No.

Q. Do you recollect the subject matter of the conversation with Mr. Wilkinson?

A. No, I do not; very likely it was political conversation; I do not recollect it.

Q. He had come from Toronto?

A. I do not know that he lives in Toronto.

Q. But on this occasion?

A. Oh, I do not know.

Q. Did he mention anything in the conversation by which you could tell that?

A. No, I do not recollect that; I think his residence is in Cobourg.

Q. Do you know whether he is employed by the Dominion Government at present?

A. No, I do not know except what I heard Mr. Pope say to-day.

Q. Personally you do not know?

A. No.

Q. You do not know of any Order-in-Council being passed for his employment?

A. No.

Q. Do you know whether as a matter of fact there is such an office as Inspector of Agencies in the North-West?

A. No.

Q. You have not heard of such a thing?

A. I have heard that Mr. Stephenson was appointed Inspector of Homesteads.

Q. What is the name of Mr. Stephenson?

A. Mr. Rufus Stephenson.

Q. Inspector of Homesteads?

A. I think that is the office he holds—I am not positively sure.

Q. Do you know Mr. H. H. Smith?

A. Yes.

Q. What is his office at present?

A. I only know from what I heard Mr. Pope say to-day, that he fills the position Mr. Pearce held in connection with the Lands' office of Mr. Walsh in Winnipeg; I think Mr. Pearce left, and Mr. Smith has been put in his place.

Q. Have you ever heard that Mr. Wilkinson was Mr. Smith's assistant?

A. No.

Q. Where could I get information on that?

A. I do not know. I should think the only place would be the Department of the Interior.

Q. That is the Honorable D. L. Macpherson's department?

A. Yes.

Q. Do you know when he will be back?

A. No.

Q. You do not know any more than Mr. Pope?

A. No. I suppose he went for his health, and that he will be guided by the state of his health.

Q. And you think from him I might get something about that office in the North-West?

A. Yes.

Q. You know the signature of Mr. Macpherson?

A. I think I do. I would not be positive. I should think that was his signature (Exhibit G), but I would not like to swear to it.

Q. You have no reason to doubt it, looking at it?

A. No, I have not.

Q. And would you say that writing on the other side was his or not?

A. I should think that was not his writing.

Q. That letter you would say would be all in his writing, would you not?

A. That may be his Secretary's writing. I would not like to say positively that is the same writing as the signature.

Q. And what would you say as to the envelope?

A. Well, that looks to be something like the signature.

Q. Then did you see Mr. Wilkinson down there more than once during this session of 1884?

A. I do not think so.

Q. You do not remember?

A. I do not remember more than once.

Q. And do you recollect where you met him?

A. My recollection is that I met him in the lobby of the House.

Q. Do you recollect your conversation with him, or any portion of it?

A. No, I cannot.

Q. If you were prompted, do you think you could?

A. No, I do not think so, because in a casual conversation, and meeting so many, I could not recollect.

Q. Probably as to politics?

A. Very likely.

Q. And probably as to Ontario politics?

A. Very likely.

Q. Of course you could tell him about the Dominion politics, and he could give you a little information about the Ontario?

A. Perhaps he knew as much about the Dominion as I did.

Q. Then did he tell you anything about the prospects or the probabilities?

A. He may have done so, but I cannot recollect.

Q. Upon that, your memory is a complete blank?

A. My memory is as good as most people's.

Q. I am not depreciating the memory of the Postmaster-General for a moment; but I am questioning you as to this conversation, and can you give me anything that passed between you on this occasion?

A. No, I could not.

Q. When you say about politics——

A. Politicians generally talk about those things.

Q. So that from your surroundings you think it must have been politics?

A. Yes.

Q. But as to whether Mr. Mowat must go or must not go, was there anything?

A. I do not know that there was anything special.

Q. Will you say there was nothing about that?

A. I will not.

Q. Or probabilities or possibilities?

A. I really do not remember; I don't think I had five minutes' talk about it.

Q. So we do come back to the point that your mind is a blank on that conversation?

A. It is not more than on anything else.

Q. If it is not a blank, give us some of it?

A. I cannot recollect casual conversations with parties in the House.

Q. Then I am right as to your mind being a blank on that conversation—as to whether Mr. Mowat would carry the session through or be beaten; you cannot say whether any of these matters were brought up and discussed?

A. No, I cannot.

Q. Would your memory be any clearer as to the conversation with Mr. Meredith?

A. I very likely had a conversation with Mr. Meredith on politics, but nothing that I can recollect.

Q. Any question of timber policy?

A. Yes, on that; I had very little conversation with Mr. Meredith, because he



arrived there at six o'clock, and it was only after dinner that I had a chance to talk to him.

Q. Well, I will take an after-dinner conversation, if you will give it to me?

A. No doubt we talked about politics.

Q. If you say you cannot recollect what passed between you and Mr. Meredith, I will accept that?

A. I cannot recollect.

Q. So that you cannot tell me any more of what passed between you and Mr. Meredith than what passed between you and Mr. Wilkinson?

A. No.

Q. Do you recollect whom Mr. Wilkinson was with when you saw him?

A. I do not think he was with anybody.

Q. He was by himself?

A. Yes.

Q. Did you see Mr. Bunting at Ottawa during that session?

A. Yes, I think I have seen him during the session more than once.

Q. Can you not give it a little more strongly than that?

A. Yes, I am sure I saw him.

Q. Do you recollect how often?

A. Yes, I think I have seen him more than once.

Q. A couple of times?

A. Yes, I think twice.

Q. And do you recollect at what periods you saw him?

A. No, I cannot.

Q. I am informed he was in Ottawa on the same occasion as Mr. Wilkinson—is it your recollection that you saw him about that date or not?

A. I could not recollect; they might have been there at the same time, but I do not recollect.

Q. What is your recollection of the period of time at which you saw Mr. Bunting?

A. I am sure he was there twice in the winter; I think one time in February and again in April.

Q. Do you recollect when it was your session began?

A. Yes, it was in January.

Mr. HECTOR CAMERON.—The 13th.

WITNESS.—Very likely it was.

By Mr. BLAKE.—Q. And do you know when it ended?

A. It ended on the 19th of April, I think.

Q. What would be the period you first saw him ?

A. I could not say as to the date. I am confident that I saw him there in April—I think it was about the beginning of April.

Q. And as to the other visits ?

A. I could not say as to the time.

Q. And you could not say which it was—in February or March ?

A. No, I could not.

Q. Do you think it was in either of those months ?

A. I could not say. I think Mr. Bunting comes down generally at the opening of the session. It might have been in January.

Q. And you can give no finding of your mind upon that at all ?

A. No.

Q. And was your conversation with him of the same class, that you could not tell what passed ?

A. Yes, just a general conversation.

Q. Of which you do not retain the memory ?

A. No.

HENRY MERRICK, called by Mr. Blake, and sworn.

Q. You are a member of the Ontario Legislature, Mr. Merrick ?

A. I am.

Q. What constituency do you represent ?

A. North Leeds.

Q. How long have you been a member of the House ?

A. Thirteen years.

Q. And you are a member, I believe, of the Conservative party ?

A. I am.

Q. Were you present during the whole of the session ?

A. Yes. I sometimes went home on Friday and came back on the following Monday.

Q. With the exception of these Sunday absences, you were here during the whole of the session ?

A. Yes.

Q. Were you present at the three caucuses that have been referred to ?

A. I think I was.

Q. Is your memory so good that you can say positively whether that is so or not ?

A. I was at two, certainly, and I am not sure whether I was at the third or not. There were three, I believe.

Q. These are the ones that were held in the *Mail* building?

A. I would not say positively whether I was at the first and second or the first and third, but I know there was one caucus at which it was not convenient for me to be present.

Q. Can you add anything in the way of information as to what took place at those two caucuses—as to the appointment of committees or the statement of any policy?

A. There were no committees appointed then, that I am aware of.

Q. Or any statement of policy?

A. Yes, there was a question of policy brought up. Is that relevant? Must I state what is the policy of the Opposition?

Q. I have not asked you that?

A. There was a policy.

Q. Generally discussed?

A. Yes, generally discussed.

Q. Was there a statement as to the policy of the Government at that first caucus?

A. I do not know whether there was at that meeting, but at the caucuses we do discuss policies.

Q. Do you know whether there was a counting of noses; whether the noses be in or the noses be out?

A. I know one or two were mentioned who were elected as Independent candidates, and there was a question as to how they would vote; Mr. Neelon was one, and Mr. Hart was the other; we had no notion as to how they would vote, and we naturally discussed that.

Q. Was there any discussion as to the relative strength of the two parties in the House?

A. I think opinions were expressed, but whether they were expressed openly in a general discussion, or aside, I do not remember; I know there were opinions.

Q. And do you recollect what the opinions were as to what would be the strength of each party?

A. No, I know what my own opinion was, but there was no resolution introduced at the caucus, and no opinion expressed as a caucus. Each individual might express an opinion, but there was no opinion expressed by the caucus.

Q. When did you first hear anything about any person being approached?

A. Well, I do not know that I heard of any particular approach except a few days before the announcement was made in the House. I had heard that there were certain of the Government supporters who were likely to vote with the Opposition, but I had no authentic information; it was simply rumour.

Q. The 17th of March was the day the public announcement was made; how long before that did that take place?

A. I think a few days before, in the smoking-room.

Q. That was the first you had heard?

A. Yes, and about that time it was pretty generally discussed.

*Q.* Were you present at a caucus when it was discussed as to whether a vote should be taken on the Timber Policy?

*A.* Yes, I think at one of the caucus meetings that, with other subjects, was discussed; I think the Boundary Award, also, the Estimates, the Timber Policy and the License question. There were several matters discussed.

*Q.* Did you see a resolution of the Opposition on the Timber Policy?

*A.* Yes.

*Q.* Do you remember when you first saw that?

*A.* I do not. Mr. Meredith proposed to draft some of the resolutions, and the resolutions after being drafted were to be submitted to caucus to be adopted by them if they approved of the phraseology of the resolutions. I am perhaps myself in some degree responsible for the timber resolution, because since I have been in the Legislature I have taken strong ground against the Government selling the timber lands without the consent of Parliament, and on that ground I have always, as one of the members of the party, urged that on Parliament.

*Q.* Did you see that resolution?

*A.* I did.

*Q.* Was that debate subsequent to this caucus, or was the resolution produced at that caucus?

*A.* Oh, I think it was after the caucus.

*Q.* Then, if I understand you aright, all that was done at the caucus was simply to define generally what was to be done as to the timber policy, and then it was left to Mr. Meredith to draft a resolution in accordance with the opinions expressed. Then did you see the resolution?

*A.* I did.

*Q.* Where did you see it?

*A.* I saw it, I think, in the House.

*Q.* Who was it that showed it to you?

*A.* Mr. Meredith, I think—in fact I am quite sure he handed me the resolution to look at.

*Q.* Do you recollect about what date that was?

*A.* No, I could not tell you as to the date.

*Q.* Do you recollect whether you saw it more than once?

*A.* I do not remember. I do not think I did, though I may have done so.

*Q.* Do you know whether at any subsequent meeting anything was said about the advisability of moving a resolution upon the timber policy?

*A.* I think after the announcement was made in the House, I strongly, as one of the members of the party, advised that the resolution should not be moved at all, because it had been suggested in the public press that this resolution was for the purpose of getting men to support them, and we would not ask them under those circumstances.

*Q.* That is just the information that Mr. Broder gave us; that after the statement made subsequent to the 17th of March—



A. I do not think it was done in a meeting. I think it was just done in conversation among the members of the Opposition. We had no meeting.

Q. I may be wrong in that, although I think still that that is what Mr. Broder said?

A. Possibly.

Q. On the 17th of March the conclusion was that under the surrounding circumstances it was not advisable to move it, and it was dropped?

A. That is my opinion.

Q. Do you recollect what day after the 17th of March that was?

A. No, I do not.

Q. And that is the last you heard about the timber resolution?

A. Yes. I don't think it was mentioned afterwards. After I heard the announcement, or at least the rumour, in the smoking room that some members had been approached, I mentioned the matter to Mr. Meredith, and Mr. Meredith was very much annoyed about the matter, and said to me, "I would not care to take power under such circumstances." Said he—"If we obtain power in that way, the men who deserted their party and came over would desert us, and I would not want to have anything to do with any such matter as that." I know he felt very strongly, and expressed himself in very strong language.

Q. That was after the 17th of March?

A. Before the 17th of March, when I told him of the conversation that was passing.

Q. Then you had a conversation with Mr. Meredith before the 17th?

A. I repeated the conversation I had heard in the smoking room before to Mr. Meredith, telling him of rumours that were going on.

Q. When was it you told him that?

A. I was trying to assist my memory to-day by speaking to one of the members of the House who I thought was present at that particular time. He was not very positive as to the time, but my recollection of it is that it was very shortly before.

Q. Monday was the 17th—that was the day the announcement was made—then would it be on the Sunday or the Saturday preceding?

A. No, I think I went home on the Saturday preceding. I think it was in the middle of the week preceding. You see, prior to the announcement, there was a pretty general rumor.

Q. You had conveyed that to your chief?

A. Certainly—yes.

Q. Do you recollect the names that you mentioned of the persons that it was thought had been approached, or might be approached?

A. Oh, this gentleman who made the observation in the smoking room—that is as my recollection serves me—he simply mentioned his own name and said that others had been approached, and I felt that it was a most disastrous thing for the party if anything of that kind were done, and felt it my duty to tell Mr. Meredith, which I did at once, and Mr. Meredith expressed himself in very strong language.



Q. Do you recollect what names were mentioned on this occasion?

A. There were no particular names mentioned. He simply mentioned the matter as speaking for himself.

Q. Who was it that mentioned that?

A. Well, I think it was Dr. Cascaden. I was speaking to him. Of course I won't be positive, but I think it was Dr. Cascaden. It was in the smoking room of the House. There were a number of members standing about.

Q. Was that the only name you heard of then as being the name of a person who was approached?

A. I do not think Dr. Cascaden mentioned any other names at all.

Q. And therefore your recollection is that that was the only name?

A. Yes, I do not remember any name being mentioned at all. He simply said that he had been, or there was some sort of deal going on—I forget the language.

Q. According to your recollection, you got no other name?

A. No other names were mentioned.

Q. Therefore the only name you mentioned to Mr. Meredith was that of Dr. Cascaden?

A. I mentioned to Mr. Meredith that Dr. Cascaden had made the observation that I have called your attention to, that he had been approached as well as a number of others.

Q. But you did not give the names?

A. Nor did I to Mr. Meredith.

Q. The only one you knew was Dr. Cascaden, who mentioned himself, and said that there were others, and that information you gave to Mr. Meredith. It did not convey the names of any others except Dr. Cascaden, and therefore you did not give any other names to Mr. Meredith?

A. I think it was Dr. Cascaden.

Q. Whoever it was, there was no other name mentioned except that?

A. Not that I am aware of. There may have been, but I do not remember, because I did not particularly charge my mind with it.

Q. That is your best recollection?

A. Yes.

Q. Then did you get any further information upon it to carry to the Leader of the Opposition?

A. No, not that I know of.

Q. You went away you say, on the Saturday, and returned on the Monday you think?

A. I think I did.

Q. Therefore you were absent, and you heard of the *denouement* in the House on the Monday?

A. Yes, we said at the time this resolution was to be moved, when the Government moved for the House to go into Committee of Supply—and the Government did move the House into Committee of Supply on Monday—the opportunity was then afforded to the Opposition to move the resolution, which it has been said was agreed upon should be

moved upon that particular occasion. But the House went into Committee of Supply, the resolution was not moved, and consequently that arrangement which has been spoken of never was completed by the Opposition in any way, and then the House merely remained in Committee of Supply for a short time; I suppose waiting the action of the Opposition as it had been said they would pursue that course, and then shortly afterwards the Committee arose, and Mr. Mowat made the announcement.

Q. Then how long had it been that the House had delayed—I believe they delayed some time going into Committee of Supply?

A. Well, I believe very shortly after. Monday was the Private Bill day, and I think that the first hour and a half, if I am not mistaken, they took for Private Bills. I won't be sure as to that, but at all events we shortly went into Committee of Supply.

Q. What I referred to was this—you have stated to us that it was understood the Opposition were going to move, when you went into Committee of Supply, their resolution upon the question of the timber policy?

A. That was the statement that was made. It was made, not before, but subsequently by the evidence that has been brought out.

Q. How long was it prior to the 17th of March, the day that this matter was made public, that you had seen this resolution upon the question of the timber policy?

A. Oh, well, I do not know—it was some long time before.

Q. Would it be a week or ten days?

A. I think it was more than that.

Q. You think it would be at all events that long?

A. Oh, yes; I think the resolution was prepared a long time before.

Q. Certainly, it was before the 17th of March?

A. The resolution was prepared? Oh, yes.

Q. Then, during that week prior to the 17th of March, do you recollect whether there was any understanding that the going into Committee of Supply was postponed from time to time, that the Opposition were to have notice when they were going into Committee of Supply, so that they might move that resolution?

A. I think there was some such arrangement. We had a number of resolutions—I do not know how many. I could revive my memory by seeing the Journals of the House; but we had a number of resolutions we had to move in connection with the Algoma elections, and a number of other resolutions. Going into Committee of Supply is the only place where you can get a vote on a proposition itself, and an arrangement, I think, was come to between Mr. Meredith and Mr. Mowat that opportunities would be afforded to us to move those resolutions.

Q. What was the particular advantage of getting your resolution in upon the vote to go into Committee of Supply?

A. In order that no amendment could be moved, and that the House would vote upon the proposition itself.

Q. Then, virtually a vote then would be tantamount to a vote of want of confidence in the Government upon a certain proposition, such as, "your timber policy is wrong?"

A. It would depend very much upon the proposition itself.

Q. This timber policy one?

A. Well, if the object was—if the announcement was made in the discussion—or

whoever moved the resolution, if he made an announcement that he did not propose that it should be a vote of want of confidence, but upon the merits, the House might take what action they should think best.

Q. Suppose he did not say that?

A. The Government are very much opposed to take any vote in opposition to them.

Q. You would have considered it as a vote of want of confidence?

A. Well, if we had beaten them, I think we would have congratulated ourselves upon our success.

Q. It would have been one considerable step towards coalition, if you desired; that is what I was wanting to get at, if you can tell me, for about how many days before that 17th of March was it, that this understanding between the leaders of the two sides of the House that an opportunity was to be given to move your resolution before you should go into Committee of Supply?

A. You are speaking of resolution in the singular.

Q. All the resolutions?

A. All the resolutions; I do not know as to that.

Q. You could not tell me as to that?

A. No; it was to avoid discussion.

Q. You know better than I do. I understood that there were to be five or six days; that on each day there was a statement made, "Are you going into Committee of Supply; let me know, because of these resolutions?"

A. Well, possibly; there were a number of them to be moved, and it was absolutely necessary that we should know, so that we should have our resolution, and the particular member of the House who was charged with that particular resolution would be prepared to make his speech.

Q. Were these resolutions ultimately moved that you have reference to?

A. I think nearly all of them; I think, perhaps, after the announcement in the House of the difficulty that some of the resolutions were abandoned, because we were somewhat demoralized; we were all considerably surprised.

Q. It was not a demoralization; it was just a masterly retreat?

A. Well, you can apply whatever language you like to that.

Q. Do you recollect what proportion of the proposed resolutions were passed?

A. No, we had so many.

Q. So many strings to your bow?

A. Yes.

Q. You had nothing whatever to do personally with those doings?

A. I had not.

Q. Do you know Mr. Wilkinson?

A. I do.

Q. When did you first meet him?

A. I don't know when I first met him; I met him a long time ago; I think when

the Big Push letter came out was the first time I met him, or shortly after that ; he was in Toronto.

Q. How many years ago ?

A. I do not remember ; eight or nine years ago.

Q. Were you in politics then ?

A. I have been in politics thirteen years.

Q. Mr. Carling mentioned that as '67 ?

Commissioner SCOTT.—I was not sure whether he said '67 or six or seven. The chairman thought it was six or seven years.

WITNESS.—That is a mistake, and the publication of the letter was of course some time after it had been written, but I remember Mr. Lauder showing me a copy of the letter, and shortly after that, Mr. Wilkinson was in Toronto, and I was introduced to him.

Q. On the strength of his connection with the letter ?

A. Well, as he had unearthed it.

Q. You would like to have the honor of shaking hands with him ?

A. Yes, shaking hands with him.

Q. Did it ripen your acquaintance with Mr. Wilkinson ?

A. Well, not specially ; I did not meet him very often ; I have not been out with him in constituencies.

Q. Did he help you at all in your constituency ?

A. No, he did not.

Q. In the neighboring constituencies ?

A. Well, he was in Renfrew.

Q. He has been a pretty active worker for the Conservative party for the last six or seven years ?

A. Well, he has been out stumping, I believe.

Q. What do you mean by stumping ?

A. Making speeches ; you ought to have some knowledge of that.

Q. No, very little knowledge, but is there anything else in your dictionary covered by the word stumping ?

A. It is a political term, I suppose, perhaps.

Q. Did you see him during the session of 1884 ?

A. I did.

Q. Did you have any conversation with him ?

A. Well, shortly after he came up here, he was stopping at the Walker House.

Q. Did you stop at the Walker House ?

A. I did.



Q. On previous occasions had he stopped at the Walker House?

A. I do not know anything about that.

Q. Have you ordinarily stopped there?

A. I stopped there for two sessions.

Q. You just met him there at the Walker House?

A. Yes.

Q. Do you know Mr. Stimson?

A. I do not.

Q. Or Mr. Lynch?

A. No, I never met him; I would like to see his photograph before I leave the court-room. (Photograph produced.) I have never seen him that I know of.

Q. Or felt him?

A. No.

Q. Because he sometimes turns his side face, so that you cannot see him—you do not know him, however?

A. No.

By Mr. MEEK.—Q. You say that Dr. Cascaden spoke to you?

A. Well, I do not know that he directed his conversation particularly to me.

Q. Were you present when he spoke?

A. Yes. I am giving that of course with a reservation. I am not so sure whether it was Dr. Cascaden or not, but my recollection of it is that it was Dr. Cascaden.

Q. When was that?

A. I think about there—shortly before it was publicly announced in the House. I do not remember very positively. I was trying to refresh my memory by speaking to Dr. Cascaden about it and asking him.

Q. Shortly before the 17th March?

A. Yes, shortly before that time.

Q. He said then that he had been approached, did he?

A. Yes.

Q. Did he say by whom?

A. No, he did not mention any names.

By Mr. BLAKE.—Q. I beg your pardon for a moment, and I beg Mr. Meek's pardon. Did you know Mr. Meek?

A. Yes.

Q. Were you introduced to him as the solicitor of the party?

A. I do not know.



Q. What did you know him as, then ?

A. Well, I just knew him as Mr. Meek. I have never had much conversation with Mr. Meek.

Q. When did you first know him ?

A. Well, I really do not remember where I met him for the first time. During the Middlesex election, I think that was the first time I met Mr. Meek to have any conversation with him—at the election in Middlesex.

Q. Were you in the Middlesex election ?

A. I went to Middlesex, but I did not take any part.

Q. Was it the occasion of both elections in Middlesex ?

A. Yes.

Q. It was December or January ?

A. It was December, 1883.

Q. You were there, and what was Mr. Meek doing ?

A. Oh, Mr. Meek was not there. I met Mr. Meek in Toronto, on King Street.

Q. I thought you said you met him at Middlesex ?

A. No, at the time I was going to Middlesex.

Q. Were you introduced to him then ?

A. I do not know that I was introduced to him. I was walking on King Street with Mr. Meredith, I think. We were making some arrangements about going into constituencies to speak, and we met Mr. Meek on the street, and he stopped, talking to Mr. Meredith, and we joined in a general conversation, and I think that was the first time that I remember.

Q. I suppose that the solicitor of the party scarcely needs an introduction : he is supposed to know everybody ?

A. That part of it, of course, is a statement of your own. I do not know anything about that.

Q. When did you meet him next after that ?

A. I do not remember ; I have met him several times ; I do not remember specially when I have met him.

Q. Did you meet him in any of the elections ?

A. No, I have simply met him casually in Toronto.

Q. You simply know him as being a member of the Conservative party ?

A. Well, I do not know as I particularly know him in that way.

Q. You will offend him terribly ?

A. Well, that might all be ; I have never had much conversation with Mr. Meek on his position with the Conservative party ; those who know him in Toronto know more about it than I do ; I have known Mr. Meek, but as to his party proclivities, or his strong party feelings, or his being solicitor for the party, or anything of that kind, I do not know anything about.

Q. You are snuffing him out very unkindly ?

A. Well, I am merely giving you my knowledge.

By Mr. CASWELL.—Q. That resolution on the timber policy, you have not a copy of it ?

A. I have not a copy of it ; I have seen a copy ; I saw the resolution itself.

Q. Would you say from the framing of that resolution that it implied a want of confidence in the Government ? Was it framed in that way ?

A. It was simply a resolution expressing an opinion on the policy of the Government.

Q. Was it framed in that way ? You said a moment ago that a resolution of this kind could be introduced which would not imply a want of confidence in the Government ?

A. Any resolution moved when the House is going into Committee of Supply, Governments, as a rule, are inclined to view those resolutions as a want of confidence, so as to rally their followers ; and no matter what the resolution may be, they will vote against the resolution itself ; but I think now it is only on a resolution on the Supply Bill or a vote of want of confidence that a Government would feel bound to resign.

Q. Was that framed in this way ?

A. No. It was simply affirming a proposition.

JOHN HAGUE, called by Mr. Blake.

WITNESS.—I ask, my Lord, whether I am bound to appear here. I have had no subpoena.

The CHAIRMAN.—I do not know what you are called for.

Mr. BLAKE.—Simply, my Lord, that Mr. Hague is Mr. Macpherson's book-keeper. Any witness in any matter, if he is called in Court, is bound to testify. It is merely to prove this letter of Mr. Macpherson's, Mr. Hague being his book-keeper.

WITNESS.—It has already been proved sufficiently,

The WITNESS was then sworn.

Q. You reside in the City of Toronto, and are the book-keeper of the Hon. D. L. Macpherson ?

A. I do.

Q. Would you know his handwriting (Letter Exhibit G produced) ?

A. I should take that to be his writing.

Q. And the envelope also ?

A. Very likely.

Q. What do you say about it ?

A. Well, it is like his writing ; the initials are his.

Q. I believe he is at present on the Continent, or do you know where he is ?

A. The probability is that he is in Germany at present.

*Q.* Do you know the probability as to his return?

*A.* Well, it is probable he will be here in September.

*Q.* That is the best information you can give?

*A.* Yes.

By Mr. MEEK.—*Q.* Do you know anything about the whereabouts of the Hon. Mr. Mowat—Where Mr. Mowat is now?

*A.* I do not—I have no knowledge at all.

*Q.* Do you know anything about the probabilities of his return?

*A.* Not at all; I do not know that I will ever see him again.

By Mr. BLAKE.—*Q.* And do not care to?

*A.* And do not care to.

*Q.* You are a Conservative?

*A.* Oh, decidedly.

ROBERT ADAM LYON, called by Mr. Blake, sworn.

*Q.* You are a member of the Ontario Legislature?

*A.* Yes, for Algoma District.

*Q.* Were you present at the session of 1884?

*A.* Yes.

*Q.* Was that the first occasion of your being elected for this Legislature?

*A.* No; I have been in five different years before that.

*Q.* Were you down at the beginning of the session?

*A.* Shortly after the session commenced, a day or two; it opened on Wednesday; I arrived here on the following Sunday.

*Q.* How long had you been here before anything was said to you touching your vote?

*A.* With regard to the conspiracy?

*Q.* Well, touching your vote—some people object to the use of that word?

*A.* There was nothing said for a considerable length of time after I came down.

*Q.* How long?

*A.* Some time in the end of February I think, or the beginning of March.

*Q.* And who was it that first approached you in connection with your vote?

*A.* Well, Mr. McKim was the first man that approached me.

*Q.* That is Mr. Robert McKim, the member for Wellington?

*A.* Yes.

*Q.* What was it that he said or suggested to you?

*A.* He understood that I was in favour of a change of policy on the timber question, the way the timber in this Province is managed, and he asked me if I was still in favour of that change, and I said I was; I believed it was in the interests of my district.

Q. What business are you in ?

A. The lumber business.

Q. What next ?

A. I said that I was going to support that change if a resolution was brought in, naming the kind of resolution ; that I would support it in the House, I did not care what side of the House it was brought up on.

Q. Was your election protested ?

A. Yes.

Q. Was anything said to you upon the subject of the protest ?

A. Mr. McKim said that if I voted for that resolution, that my protest would be withdrawn.

Q. All that you have mentioned took place upon the first interview with Mr. McKim upon the subject ?

A. Yes, that particular subject.

Q. What did you say in answer to that ?

A. Well, I told him that I did not believe that it would be withdrawn, and he said then he felt certain that it would ; I told him I would let him know in half an hour afterwards ; the House was in session ; I dropped a note down to Mr. Pardee.

Q. Did he tell you how this could be accomplished—how the protest could be withdrawn, and so on ?

A. Yes ; he explained to me that Mr. Meek and Wilkinson were to meet me at the Walker House, if I agreed to it.

Q. What did you say to that ?

A. I said that I would let them know in half an hour, so I saw Mr. Pardee, told him what Mr. McKim had told me, and he says, " You can just act your own pleasure, Mr. Lyon, in voting against the Government on that question, if you think proper." I could just do as I thought proper ; so I saw Mr. McKim afterward, and we had a meeting.

Q. What next ?

A. It had been agreed between Mr. McKim and these parties that a meeting was to take place in about two hours after that, if I was in favour of this resolution ; and the meeting did take place accordingly in the Walker House, either in my room or Mr. Wilkinson's, I am not certain which ; I was boarding at the Walker House.

The CHAIRMAN.—Q. Who met ?

A. Mr. Meek, Mr. Wilkinson, Mr. McKim and myself.

Mr. BLAKE.—Q. Then what passed between you ?

A. This question was brought up, of supporting the timber resolution, if it was brought as a vote of want of confidence, I was asked if I would support it, and said that I had already told Mr. McKim that I would.

Q. That is, if this vote was brought up as a vote of want of confidence would you vote ?

A. Yes, it was put in that way, if I would support this resolution : " but if it was brought up as a vote of want of confidence, would you support it : " I said yes, I would support it.

Q. It was put to you in that way, that if it was brought up as a vote of want of confidence would you support it?

A. Yes.

Q. And you said you would?

A. I said I would.

Q. What else.

A. There was some other conversation took place, and talk of the withdrawing of my petition; Mr. Meek had charge of the petition and the protest for the petitioner, and he said if I would carry that out that he would withdraw the petition.

Q. Is that Mr. Edward Meek who is present in the Court?

A. Yes.

Q. Had you seen him before?

A. Yes, I met him in Algoma at the time of the election; he was up there speaking; he was in opposition to me; by that means I came to know him.

Q. What more passed between you?

A. Well, I wanted some security that the petition would be withdrawn; I wanted a writing that the petition would be withdrawn, or a guarantee from some responsible man in their party that the petition would be withdrawn; I offered to take Mr. Meredith; he refused; he did not want to mix up Mr. Meredith with it.

Q. Who refused?

A. Mr. Meek; but he would give Mr. Bunting, and asked me to go and see Mr. Bunting; I said it was not necessary if Mr. McKim saw Mr. Bunting, and he pledged his word and honour on the veracity of a man that it would be withdrawn, and gave Mr. McKim evidence that he had done so, and that would be quite sufficient.

Q. Had you any further conversation at that meeting?

A. I think there was some further conversation, I don't recollect; it was all upon that point principally; I understood from Mr. McKim afterwards that he had seen Mr. Bunting, and he agreed to withdraw it.

Q. Was anything further said on that first interview as to the Mowat Administration or the Government?

A. There was something said on that occasion about forming a Coalition Government; Mr. Meek stated that the two Governments would be more in harmony; it would be more conducive to the interests of the Province if the Dominion Government and Ontario Government were in unison.

Q. Then you had another meeting?

A. Yes, we had another meeting some time after; I don't recollect how many days after; it was up in the room in the Walker House again.

Q. Who was present at the meeting?

A. Mr. Meek and Wilkinson and McKim.

Q. What was the subject of your conversation?

A. The same subject—with regard to the withdrawal of the protest.



Q. How did you come to meet there?

A. Mr. McKim and they arranged the meeting.

Q. Then when you did meet, who brought up the topic?

A. I couldn't say which party brought it up, but it was brought up immediately any-way, and they had agreed to withdraw the protest.

Q. You had asked some assurance of that?

A. Yes; well, that assurance had been promised.

Q. Did you receive it then?

A. Mr. McKim told me he had seen Mr. Bunting, and he had agreed to see that the protest was withdrawn.

Q. Was anything further said about the Government?

A. Nothing that I recollect except talking about forming a Coalition Government, as I have mentioned before.

Q. When did you see them again on the question of the protest?

A. I saw Mr. Meek afterwards, but I am not certain but it was that same night in the reading-room in the Walker House.

Q. Does Mr. Meek board at the Walker House?

A. No, sir; Mr. McKim and I were sitting together in the reading-room in the Walker House. Mr. Meek came up and said the protest was all right now, and shook hands with us both.

Q. Did he go into details?

A. No, that is all that was said; there was a number of people there, and he just walked out; I had no further conversation with Mr. Meek; I had several conversations with Mr. Wilkinson.

Q. Were they subsequent to these that you have been mentioning?

A. All after this; the first meeting that I referred to in the first place was the first meeting that we had.

Q. Then you had a second meeting; then you had an interview with Meek; and now you had a fourth meeting with Mr. Wilkinson?

A. Well, he was boarding in the same house, and we were talking every day.

Q. What was the subject of the conversation between you and Mr. Wilkinson?

A. Well, sometimes one subject and sometimes another; sometimes we referred to this buying up some of the members to defeat the Mowat Government; he said he required four; he named some of those that he thought would be favorable, and he required four more.

Q. Who did he say that he thought would be favorable?

A. Well, he counted on Mr. Neelon, and this other Independent member that came from Prince Edward, Mr. Hart, and myself; then he expected to get Mr. Balfour, Dr. Dowling and Mr. McKim; he said they required another if they could get another; he spoke of Mr. Cascaden, and he also spoke of Mr. Bishop.

Q. So they could have everything represented—the Church, and the medical profession, and the farmer, and all, in his buying up?

A. Yes.

Q. That would be seven or eight then that he would have?

A. Yes.

Q. Did he mention this more than once?

A. Mr. Wilkinson? Oh, it was every-day conversation.

Q. Anything more definite than that between you and Mr. Wilkinson?

A. No, nothing. It went on from that time to the time the announcement was made of the arrest. I knew nothing of the arrest until it was made.

Q. Were you present in the House when the disclosure was made?

A. I was in a few minutes afterwards, but I did not know that anything of the kind was coming up that evening.

Q. You were surprised?

A. Yes.

Q. Then did you see anybody in connection with your vote, but Mr. Wilkinson and Mr. Meek and Mr. McKim?

A. No.

Q. You had nothing to do with Mr. Kirkland about it?

A. No, he had nothing to do with voting; the timber question was what he was anxious about.

Q. When was it that Mr. Kirkland first spoke to you?

A. Shortly after I came.

Q. What was the subject of the conversation with him?

A. He told me that he had purchased some mining land in Pigeon River, in the district of Algoma, some ten thousand acres, and paid the cash for it, and that he wanted the timber that was on these lands by paying the regular timber dues, seventy-five cents a thousand, and he wanted me to see the Commissioner with regard to it. I did so, and he repudiated the idea of selling the timber in that way.

Q. You found that you could not move the Government upon their timber policy?

A. No; I think he got some others to see the Commissioner, and it was no use; it could not be done in that way.

Q. Then did Mr. Kirkland ever bring you any paper to sign?

A. Yes, he brought me the round robin.

Q. What did he say when he brought that to you?

A. He said he wanted to get the names of those parties who were going to vote to sign that.

Q. What was the object in getting it?

A. This timber resolution? All those that signed that round robin were supposed to stand firm to this resolution.

*Q.* Then what was he going to do with this when he got it signed?

*A.* I suppose he was going to keep it as a guarantee that they would vote right.

*Q.* Was he going to use it in any way in the vote, or with the Opposition, did he tell you?

*A.* No, he did not tell me anything; that he was going to use it for the Opposition.

*Q.* He was going to use it so as to keep them straight?

*A.* Yes, the names that had agreed to vote.

*Q.* You signed that, did you?

*A.* I signed that.

*Q.* Will you just see if it was at all like that in substance? (Exhibit "L" shown to witness.)

*Mr. CASWELL.*—I suppose we ought to have first evidence of the original before we give secondary evidence.

*Q.* You gave that back to Mr. Kirkland?

*A.* I gave that back to Mr. Kirkland.

*Mr. BLAKE.*—I ask for it, then. I trace it back into Mr. Kirkland's hands, and I ask Mr. Kirkland to produce it, which is the ordinary foundation to lay before you give this evidence of it. Now I have done that twice; I do it a third time now.

*Mr. CASWELL.*—Kirkland has never had it except that day.

*Q.* You returned it to Mr. Kirkland?

*A.* Yes; Mr. McKim told me he signed it after I did; he saw my name.

*Q.* What do you think of this (Exhibit "L")?

*A.* This is in substance the same, only the one that I signed was written in the centre of the paper, round.

*Q.* Here it would be seen who signed first, if you signed in order, but the way they had it you just all signed round?

*A.* Yes.

*Q.* Did you ever see that paper in any other shape except as the round robin—did you see this (Exhibit "L")?

*A.* No.

*Q.* Then you could not tell me whose handwriting that is?

*A.* No.

*Q.* Can you say whether that is the same handwriting as the round robin that you saw?

*A.* I could not.

*Q.* Was there any other signature on that round robin when you signed it?

*A.* None.

*Q.* Were you paid any money?

*A.* No, I was not paid any money nor never was offered any money, by any parties.

*Q.* It was just the withdrawing of your protest?

*A.* Yes.

*Q.* Did you ever get the guarantee?

*A.* Of the protest withdrawn? No.

*Q.* Any other guarantee than that of Mr. Meek?

*A.* No; I believe it is being prosecuted still.

*Q.* Did you on any of these occasions when Mr. Wilkinson was speaking to you see any money with him?

*A.* Oh yes, he showed me the money.

*Q.* What did he say in connection with the money?

*A.* He said he had got the stuff now to pay for the votes.

*Q.* On which occasion was this?

*A.* Before he paid Mr. McKim; I think probably it was the same day.

*Q.* Did you see the amounts?

*A.* I did not see what amount he had; he showed me some \$100 bills; I just saw the back of them—100 marked on the back.

*Q.* Would you know the colour of them?

*A.* They are green.

*Q.* Similar to these (Exhibit "E")?

*A.* They look the same; he had them wrapped up in this way (folding); he just showed me the back of them this way.

*Q.* Do you recollect where that was?

*A.* It was in his room at the Walker House.

By Mr. CASWELL.—*Q.* What is the first time you met Mr. Kirkland?

*A.* I met him a few days after I got here.

*Q.* Had you ever met him at Port Arthur before your coming here?

*A.* No.

*Q.* You had not known him there?

*A.* No.

*Q.* Did you get here at the opening of the session?

*A.* No, a few days after; I got here on Sunday; the House had been opened on Wednesday, I think, or Thursday.

*Q.* Where did you meet Mr. Kirkland?

*A.* I think he came down to the Walker House; I was introduced to him by some person, I don't recollect who it was; some one from Port Arthur, I think.

Q. Some one that knew you as representative of that constituency ?

A. Yes.

Q. Was there anything said by this person introducing you as to your being interested in that part of the country ?

A. I don't think so.

Q. I suppose you met him several times between that and the end of the session ?

A. Yes, saw him nearly every day.

Q. He explained to you the nature of the change he wanted ?

A. Yes.

Q. Were you in favour of the change he desired ?

A. Yes, I was in favour of that change before I saw him at all.

Q. And you think now, I suppose, that that is the best policy for that part of the country ?

A. Yes, I will vote for it any time it comes up in the House.

Q. So that it was not Mr. Kirkland's influence that caused you to change ?

A. No ; I believe it is in the interest of the district, and not only the district but the Province.

Q. That is, for that locality, at any rate ?

A. Yes, for that district.

Q. I suppose that part of the country is not very heavily timbered ?

A. It is a mountainous country and very little soil on it, and when it comes a dry season the fire gets out and burns the little soil that is on, and kills the timber wherever it goes, and then it is useless.

Q. I suppose by that means the Government loses a large amount of revenue that they might otherwise obtain ?

A. Yes, I think there is over half a million dollars lost in the last two or three years in that section of country.

Q. Mr. Kirkland explained to you that he owned or had an interest in ten thousand acres ?

A. Yes ; he told me he had bought it as mining lands, and paid a dollar an acre for it, cash ; he wanted to get the timber that was on the land by paying the regular timber dues, seventy-five cents a thousand.

Q. Was he ready to pay any more than that ?

A. Well, I don't know that he made any other offer than that.

Q. You have had a great number of interviews with Mr. Kirkland, and I suppose there was no person he was more intimate with than yourself during the session ?

A. I met him nearly every day.

Q. Did he ever offer you any money ?

A. None ; never offered me a cent.



Q. Or proposed to pay you in any way?

A. No.

Q. Did he ever talk to you of bribes, or bribing any person?

A. No, he wanted to get the timber; I think he spoke to Mr. Graham, or asked me to speak to Mr. Graham to make a speech in favour of that policy; said he would give him what was right for his trouble, or give him something substantial, something to that effect.

Q. Mr. Kirkland said that?

A. To Mr. Graham, yes.

Q. Mr. Graham told you that?

A. No, Mr. Kirkland; Mr. Kirkland, Mr. Graham and myself were in Mr. Graham's room, and he told him that if he would make a speech he would give any information that was required in regard to the country; that he would give him something substantial for doing so, or whatever was right for his trouble.

Q. Did he put it that way, whatever was right?

A. Something substantial, or whatever was right; and Mr. Graham repudiated the idea; said there was not money enough in the United States, or something like that, to buy him up.

Q. That is Mr. Graham of Lambton?

A. Yes, I walked out of the room then, and left Mr. Graham and Kirkland together.

Q. Mr. Graham's account of it is to this effect, that Kirkland came in to him and asked him, "Have you seen Mr. Lyon?" and he answered he had, and then Mr. Graham says that Kirkland said, "Well, I have come to complete that arrangement or bargain;" he is not certain which words?

A. Well, Mr. Kirkland and I went into the room together; he may have said something about completing an arrangement.

Q. Had there been any arrangement between you and Mr. Kirkland before?

A. Nothing more than what I have just stated, that he wanted my speech on it, he wanted others to speak on it as well as him.

Q. There had been no arrangement or bargain with you?

A. No.

Q. You had not offered Mr. Graham any money for Kirkland?

A. Oh, no.

Q. There was no arrangement then, between you and Mr. Graham?

A. Merely talking the matter over.

Q. Didn't Mr. Kirkland often tell you that he would not pay money to any person?

A. Well, I don't know that he ever said anything about that, one way or the other.

Q. Did he say to you that he would not pay for anything done, for anything like votes in the House; he would not pay any members for any votes?

A. He said he would pay any man for any trouble he was at; he asked Mr. Awrey to make a speech too.

Q. Did you have any conversation with Mr. McKim about Kirkland?

A. We may have had, yes.

Q. Did McKim say to you that he wanted money from Kirkland for his services?

A. No.

Q. Did Mr. Balfour, member for Essex, say so?

A. No.

Q. Neither of them spoke to you that they wanted money for their services?

A. No, I sent them always to Mr. Kirkland themselves, if they wanted to have any conversation, and the same with Mr. Wilkinson.

Q. Did Mr. Balfour ask you to get some article or paper from Mr. Kirkland?

A. I don't think he asked me to get it, but Mr. Kirkland handed me a paper describing the country in that section of Algoma, and told me to hand it to Mr. Balfour.

Q. Mr. Balfour, then, had not asked you to get it?

A. No.

Q. It was Kirkland that gave it to you to hand it to Mr. Balfour?

A. Yes.

Q. What did you do with that article?

A. I gave it to Mr. Balfour.

Q. You have not had it since?

A. No.

Q. What was the nature of that article?

A. Just describing the country, the surface of the country.

Q. And what you stated previously in your examination?

A. About being a mountainous country, and so on, and describing how the timber was situated in that country; it is not a regular pinery; it is only in the valleys where there is some pine found.

Q. That article described that?

A. Yes; the most of it is burned on the high ground.

Q. I understand where Mr. Kirkland's land is it is not surveyed by the Government?

A. No.

Q. And in getting his patent I suppose he would have to get his own survey?

A. Yes.

Q. That would be expensive?

A. Yes.

Q. Have you any idea what expense that would be?

A. It was a considerable expense in that country.

Q. Great difficulty, I suppose?

A. Yes.

Q. Mr. Kirkland, I suppose, spoke to you about your vote on that timber policy?

A. Yes, he asked me if I would support that policy.

Q. Did he ask you to explain to the Government what you were doing in the matter before you voted against the Government?

A. No, I don't know that he did.

Q. Did he not ask you to tell Mr. Pardee?

A. No, I went and saw Mr. Pardee myself just as soon as Mr. McKim mentioned the thing to me.

Q. Mr. McKim was before Kirkland, was he?

A. No, he was after.

Q. After Mr. Kirkland had seen you did he ask you to see any one?

A. Mr. Kirkland for a considerable time after the session was trying to get the lands from the Government in this way that I mention.

Q. Did he ask you to see the Commissioner?

A. Yes, he did.

Q. Did he ask you to tell the Commissioner how you would vote in the matter?

A. No.

Q. He seems to think that he asked you to explain to the Commissioner how you would vote?

A. No, the Commissioner knew that I would support it though; knew that I was in favor of it.

Q. I suppose he did not know until after Kirkland had spoken to you?

A. Oh, yes; he knew it all along, I guess.

Q. Did you go to visit the Commissioner on Kirkland's behalf?

A. Yes.

Q. Did you take up a petition from people in your neighborhood?

A. Yes.

Q. How did you get that petition?

A. I think it was mailed down to me.

Q. Did it come from Port Arthur?

A. It came from that section of country; near all the names in that section of country, near all the leading men, were to it.

Q. You have not that petition?

A. No.

Q. What became of it?

A. I think it is in the Crown Land office. I took it to the Commissioner and left

it there ; the prayer of the petition was this, that they would sell the lands along with the timber at the upset price of a dollar an acre, and that parties buying the land should have the timber at seventy-five cents an acre dues, without ground rent ; in the other sections of the Province, where the timber is pretty thick, and not sparsely scattered over the ground, they pay ground rent, but in that section there is so much section of territory that there is no timber on that it would not be fair to charge ground rent for the whole country.

Q. Did it refer to settlement ?

A. It referred to settlement.

Q. In what way ?

A. That a man buying a thousand acres of land, and getting the timber that was on it and paying the dues, might perhaps get 250 acres of good land in the thousand, and open it up and settle it.

Q. So that this change would be in favour of settlement ?

A. In favour of settlement as well.

Q. This petition was signed by the most influential men ?

A. All the leading people in that section of the country.

Q. You sent the petition in to the Commissioner ?

A. Yes.

Q. You urged the Commissioner to do what was requested ?

A. Yes.

Q. Because it was expressing your own views as well ?

A. Yes.

Q. What reception did you meet ?

A. The Commissioner would not listen to it at all ; he said that the policy of the Government was to sell it by auction ; it had always been the principle, and was the principle that would be carried out ; he would not change.

Q. Did you see the Commissioner more than once about it ?

A. I think only once ; I saw that he was determined not to make any change.

Q. I understand you told Mr. Pardee that you would vote for this resolution if there was any resolution in favour of the change ?

A. Yes.

Q. What answer did Mr. Pardee give to that ?

A. Just as I have stated ; he said that I could do just as I thought proper.

Q. Did Mr. Pardee make any remark in reference to the lumbermen on that occasion ?

A. I don't recollect whether he made any ; I think he did say that the lumbermen would be wanting to buy up all the timber all over the country if that policy was adopted.

Q. Didn't he say that the lumbermen would tear him to pieces if he made this change ?

A. I don't know ; I don't recollect him saying that.

Q. Or any words like that ?

A. No.

Q. That the lumbermen would tear him to pieces—be angry at him if he made such a change ; you don't recollect that ?

A. No.

Q. Did Mr. Pardee give you any idea that if Kirkland would go to the Opposition and get such a resolution passed, that the Government would make a change ?

A. No.

Q. I mean such a resolution introduced, not passed ?

A. No, he never spoke to me on the timber question after that.

Q. Did he, on that occasion, give you to understand that if the Opposition would move in that direction he would make a change ?

A. No.

Q. Did you communicate anything like that to Mr. Kirkland ?

A. No.

Q. Did you give Mr. Kirkland the idea that he might go to the Opposition and try and get such a change ?

A. He saw some of the members of the Opposition himself, and thought he would get them to move in it.

Q. That is later, I understand, when he saw the members of the Opposition. ?

A. That was shortly after he had seen Mr. Pardee, and found he could not carry it with the present Government ; then he went to the Opposition.

Q. Did you not give him some hint that he should go to the Opposition, and try and get some such resolution passed ?

A. No, I had no conversation with Mr. Pardee after that.

Q. Did you not give Mr. Kirkland to understand that if he went to the Opposition and got such a resolution introduced, that the Government might change ?

A. No, I could not do that, because I did not know what the Government might do.

Q. Was your language framed in such a way as to lead Mr. Kirkland to believe that ?

A. No.

Q. Did you not urge him to go—did you not tell him he had better go to the Opposition ?

A. No, I am sure that I did not.

Q. He says that it was at your request, or by hints from you, that he went to the Opposition ?

A. Well, it is not correct.

Q. Did not Mr. Kirkland tell you most of the conversations he had with members of the Opposition ?

A. No.



Q. Did he not tell you of meeting Mr. Meredith?

A. I don't recollect of him telling me anything about Mr. Meredith.

Q. Did he tell you a conversation that he had with any of the Opposition?

A. I think not.

Q. Did he tell you of any conversations he had with supporters of the Government;

A. He may have; yes, I think he had told me some conversations that took place? I don't recollect, just in substance, asking them to see the Commissioner and see if he could not get the timber in the way I have stated.

Q. Do you remember Mr. Balfour and Mr. Kirkland and yourself being present on any occasion?

A. We might have been.

Q. Do you remember any time when the three of you were present?

A. I don't recollect any particular occasion; we might all three be present very often; he was often down at the Walker House, and we were often at the Rossin.

Q. Mr. Balfour had a room in the Walker House?

A. Yes; I remember being in Mr. Balfour's room.

Q. Do you remember the three of you meeting in Mr. Balfour's room?

A. I don't remember the three being in, because if he went in, I generally went out and let them have the conversation themselves.

Q. He states that you were sitting on the bed, while he and Mr. Balfour were on chairs; do you remember that?

A. No.

Q. Do you remember Balfour and Kirkland conversing about money?

A. No, I don't think ever I heard them talking of money.

Q. Did you hear Kirkland say that he would not pay Balfour any money for his vote, or words to that effect.

A. No.

Q. You don't recollect that at all?

A. No, I heard Mr. Kirkland say that he would pay Balfour whatever was right for his trouble in getting up that speech, and the time that he occupied.

Q. Did he say he would not pay him for his vote?

A. Never heard him saying anything about buying or paying for a vote either.

Q. Did he say anything about paying a man for the time of getting up a speech? did he put it "if it were right"—that he would pay him if it were right?

A. He very often put that in his expressions, but I could not say whether he did that time or not.

Q. Did Mr. Kirkland tell you to let Mr. Pardee know that the Opposition would support this change?

A. I don't recollect; I know that I had no conversation with Mr. Pardee afterwards about the timber at all.

Q. I am asking you if Mr. Kirkland told you to tell Mr. Pardee that?

A. Neither with the Opposition nor the supporters of the Government.

Q. I am asking you if Mr. Kirkland told you to tell the Commissioner of Crown Lands that the Opposition were going to support this change?

A. No, I don't recollect.

Q. Do you think that Mr. Kirkland thought that his conversations with the Opposition were reported to the Government all along?

A. I couldn't say.

Q. Do you think he was trying to work in a way to hinder the Government from knowing what he was doing?

A. No, I thought not.

Q. He was not working against them?

A. He was the other way; he told his plans to too many; I think, to succeed.

Q. You do not think he was trying to do what he was doing in the dark, so as not to let the Government know anything about it?

A. No, I don't think so; he wanted to get the timber; he had no desire either to overthrow the Government or place the Opposition in power; if he got his timber that was all he wanted.

Q. Do you remember the conversation with Mr. Kirkland where you counted the Government majority?

A. I never counted them; he had them down on a piece of paper.

Q. Do you remember this coming up, that he said even if Balfour, Dowling and McKim sold themselves to the Opposition, that the Government would still have a majority?

A. Yes, I think I recollect that.

Q. Do you remember any conversation in which he said, referring to these men, McKim, Balfour, and Dowling, "that those fellows would get into trouble in their craze for money?"

A. I don't recollect that.

Q. Or anything like that?

A. No.

Q. That he said those fellows would get into trouble in their craze for money for votes?

A. No, I don't recollect anything of that kind.

Q. Do you remember, on talking with him, that he said that there was too much of an odor of politics around—that he was getting too much into politics?

A. He may have said that; I think he has said that.

Q. And did he say there was too little private business for him to remain longer in Toronto?

A. I don't recollect that.

*Q.* Too little legitimate business, did he say that—that there was too much of an odor of politics in the air?

*A.* He may have said it, but I don't recollect it.

*Q.* Didn't you think from all Mr. Kirkland's conduct as you saw it that he thought he had the friendship of Mr. Pardee and Hardy all through, he was not working against them?

*A.* No, I never found him working against the Government.

*Q.* Don't you think that he imagined that he had their friendship all the way through?

*A.* Well, I could not say that, but with regard to his operations with the Opposition I did not know anything of them.

*Q.* Did not you gather from it that he thought that he was friendly to the Government?

*A.* He appeared to be friendly with the Government always; I don't think he cared anything at all for any body only to get the timber, that was his object.

*The CHAIRMAN.—Q.* If the Government gave him the timber I suppose that he would be quite friendly?

*A.* Yes.

*Mr. CASWELL.—Q.* Do you remember McKim introducing Mr. Kirkland to Wilkinson?

*A.* I don't remember; he may have done it, but I don't recollect it just now.

*Q.* Don't you recollect some time in the previous week before he was arrested, Mr. McKim introducing Wilkinson and Kirkland?

*A.* I think they must have been acquainted before that.

*Q.* You don't recollect their being introduced?

*A.* No.

*Q.* He says about the tenth or eleventh March?

*A.* Oh, they must have been acquainted before that.

*Q.* What reason have you for supposing that?

*A.* Why, because Kirkland was down there every night nearly, or every few nights, and Mr. Wilkinson was there too, stopping at the Walker House; when they are around every few nights they are very likely to be acquainted.

*Q.* I have no doubt there were persons stopping at the Walker House all winter that you were not acquainted with at all!

*A.* I knew most of them, I think.

*Q.* You don't recollect Kirkland being introduced by McKim?

*A.* No, I don't recollect it; if you can bring anything to my memory I might perhaps recollect it, but I don't recollect it at all.

*Q.* Do you know that he was talking to Balfour, McKim and other members on the Government side on this timber policy long before he knew any of the Opposition?

*A.* Yes, he talked to them first.

Q. Did he not state to you that all he wanted about this timber policy was to have it discussed in the House on its merits?

A. He wanted it brought up on the floor of the House.

Q. And discussed, and then either voted for or voted down on its merits?

A. Yes.

Q. And I suppose you were as anxious as Kirkland was?

A. I did not care a great deal about it, because I was not personally interested only for the interest of my constituents.

Q. Still you were anxious I suppose to have the matter discussed?

A. Yes, a man that has laid out ten thousand dollars and spent seven or eight thousand dollars in improving the river—a good settler ought to be encouraged.

Q. He has improved the river?

A. Yes, his improvements to Pigeon River will cost seven or eight thousand dollars

Q. He is a useful man there?

A. Yes, he would have brought up five or six hundred people.

Q. Many of whom would be settlers?

A. Well, it is altogether likely some of them would have settled on the land.

Q. Do you know he had a surveyor out from Port Arthur?

A. Yes.

The CHAIRMAN.—It does not seem to me to be a question which policy was the better one; the question seems to be, had the Government a policy.

Mr. CASWELL.—That may be, but we have learned a great deal this afternoon about how cheques should be signed, and we did not object.

The CHAIRMAN.—That may be very material, how cheques are signed.

Mr. CASWELL.—What I want to show is that this man had no interest in turning out the Government, or keeping in the Government; he was simply anxious to make the change.

Q. Mr. Kirkland was not asking for any private bill that he might get the timber on his own land?

A. No.

Q. He was trying to get a change for the locality?

A. A change for the whole country—the whole section of country.

Q. It was not that he should get the timber on his own land?

A. No.

The CHAIRMAN.—If he got the policy changed it would result in giving him the timber on his own land.

Mr. CASWELL.—Well, then he would have to go to the Commissioner to buy it like any person else.

Q. Do you know whether Mr. Kirkland ever referred members of Parliament he saw to you to get information about that part of the country?

A. Yes.

Q. I suppose they came to you and said Mr. Kirkland had referred them to you?

A. Yes.

Q. Did either of these gentlemen, Mr. McKim or Mr. Balfour, tell you that they were trying to get money from Kirkland?

A. No.

Q. Nor did they say that Mr. Kirkland refused them money?

A. No, they did not say anything about money to me at all.

By Mr. MEEK.—Q. You say that Mr. McKim was the first person that approached you?

A. Yes.

Q. When was that?

A. It was on the same evening that we met in the Walker House.

Q. Did he ask you to come out with him and walk down with him to the Walker House to Wilkinson's room?

A. He asked me in regard to whether I would support this resolution or not; in the first place, the House was in session; after some conversation I told him I would let him know in half-an-hour; in half-an-hour afterwards I did let him know.

Q. Then did he ask you to walk down with him to the Walker House?

A. Yes.

Q. Did he say that any person else would walk down with you two?

A. He said that we would meet you and Mr. Wilkinson.

Q. Did he tell you that I was in the House?

A. I think not.

Q. Are you positive about that?

A. Yes, I expected to meet Mr. McKim.

Q. Did he say that Mr. Wilkinson had made an appointment with him—an arrangement with him?

A. He said that you and Mr. Wilkinson were to meet me at the Walker House; meaning him and I.

Q. Did he say that he had arranged that; did you understand that he had arranged that?

A. Yes.

Q. Was he anxious to get the petition withdrawn in your case.

A. Oh, he didn't seem very anxious.

Q. He was very friendly with you?

A. I was always friendly with Mr. McKim.



Q. And very desirous of having the protest withdrawn, wasn't he?

A. I don't know that he was ; but he said that I could get it withdrawn if I would support that resolution.

Q. Did he say that he could manage that for you ?

A. No, he did not ; he said that he would meet you and Wilkinson and I down at the Walker House, and I would hear what you had to say.

Q. Did you go down to the Walker House that evening ?

A. We did.

Q. Did you go down with Mr. McKim ?

A. No, I think not ; I think I went down alone.

Q. Some time after, was it ?

A. Some time after ; I did not notice McKim ; I could not see him in the House.

Q. That conversation was in the evening, while the House was sitting ?

A. Yes.

Q. And he said he would go down after a short time ?

A. Yes.

Q. Then half-an-hour elapsed in your interview with Pardee, and then when you came to look for him you didn't find him ?

A. I did not see him just then.

Q. So then you walked down alone ?

A. I walked down part of the way alone ; I don't know but that I met him on the road somewhere.

Q. Did you meet him on the street, waiting for you, pacing up and down ?

A. I don't know ; it was dark.

Q. Then you went down to the Walker House, and you went to Mr. Wilkinson's room ?

A. Well, I am not positive whether it was Mr. Wilkinson's room or my own room.

Q. Don't you know that I never was in your room at all ?

A. Perhaps not ; it was a room at the head of the stair, No. 9.

Q. Do you recollect going into the room with Mr. McKim ?

A. I recollect going into the room and meeting you and Mr. Wilkinson.

Q. Up to that time you had not seen me since you met me in Algoma ?

A. I did not meet you. I might have seen you on the street. I think I met you one day in the Post-office.

Q. But not to have any conversation at all ?

A. No, no conversation.

Q. Then when you and Mr. McKim came into the room, where did you sit, yourself ?

A. I don't recollect whether it was on the lounge.

*Q.* It was a bed-room, wasn't it?

*A.* Yes.

*Q.* Don't you recollect taking a seat at the foot of the bed, in a chair?

*A.* I don't recollect whether it was a bed, a chair, or a lounge; we sat down, any-way, and had a conversation.

*Q.* You sat down beside me?

*A.* Perhaps I did sit beside you, I am not sure.

*Q.* Do you remember where McKim was?

*A.* He was close by.

*Q.* But at the time you first came in?

*A.* No, I don't recollect.

*Q.* Do you remember him sitting up at the head of the bed on the bed?

*A.* He may have been sitting up on the bed.

*Q.* At the far end of the room?

*A.* Yes; well the bed was next the stair, and the vacant part of the room was next the north end of the street where the window was.

*Q.* That was where you were sitting?

*A.* Perhaps it was; I could not say where I was sitting.

*Q.* You poured some glasses of whiskey down you?

*A.* I don't recollect whether I did; I might have done, but I don't recollect; it would not be an uncustomary thing to do, anyway, if I did it.

*Q.* You mentioned to me that Mr. McKim had told you that Mr. Wilkinson had told him that the petition would be withdrawn?

*A.* Yes.

*Q.* And do you remember what I said to that?

*A.* I don't recollect.

*Q.* Do you remember my saying that I could not consent to it?

*A.* I think you said you were the lawyer for the petitioner.

*Q.* Do you remember my saying it would be an unprofessional thing to do?

*A.* I don't recollect; however, you agreed to it before you left.

*Q.* Do you remember me making use of that expression, that it was an unprofessional thing, that I could not do it on that account?

*A.* Yes, you may have said that.

The CHAIRMAN.—*Q.* What would be unprofessional?

Mr. MEEK.—*A.* To withdraw a petition on condition that the party would give his vote in the House.

Q. Do you remember me saying that a solicitor would be liable to be struck off the rolls for a thing of that kind?

A. You may have said that.

Q. Do you remember your asking me to get you a written guarantee endorsed by Mr. Bunting or Mr. Creighton?

A. Or, Mr. Meredith.

Q. You did not use the word Meredith, you are mistaken about that, I think entirely, I am perfectly satisfied about it; it was Bunting or Creighton you mentioned?

A. I think Mr. Meredith was mentioned, there is no doubt of that; you said you did not want to mix him up with it.

Q. Do you remember me saying to you that they had nothing whatever to do with it; that I would not ask Mr. Bunting nor Mr. Creighton to do anything of the kind because they had nothing to do with it; had no control over it?

A. You said you would get Mr. Bunting to guarantee the withdrawal of the petition.

Q. Be careful?

A. Well, I think I am careful.

Q. That I said such a thing as that?

A. Yes, and Mr. Bunting; either you or Wilkinson asked me to go up and see Mr. Bunting.

Q. If you put it that way I do not mind accepting your statement, but I do not want you to put into my mouth something that Wilkinson or anybody else said; did I not talk to you indignantly about it?

A. Yes, you said that you had expended more of your private funds than any other Conservative in the party.

Q. And received no benefit?

A. Received no benefit, and that you had all to do with the protest, and if it was withdrawn it would be withdrawn through you and nobody else.

Q. If it was withdrawn I would be the party to withdraw it, and nobody else?

A. Yes.

Q. Don't you recollect my saying to you that it was an unreasonable thing, that you were a man of too much judgment, or good judgment and common sense, and that you must know that there was no necessity of your asking me such a question as that?

A. I don't recollect that.

Q. Do you remember of my saying that to you?

A. What would be the object of us going there at all if that was to be the case?

Q. Mr. McKim's object was to get a written guarantee so as to catch somebody, but do you recollect my saying to you that if you were a supporter of ours we would be idiots to try and unseat you?

A. Yes, I remember that.

Q. Do you remember my following that up by saying, "what is the sense of your asking me for a guarantee?"

A. Yes, but I insisted on a guarantee.

Q. I know you did, but you did not get one?

A. I have got one, yes.

Q. You admit that that much of it at any rate took place, and now you have mentioned that there were several meetings; I want you to think of that; did not the next meeting—the next time I met you, the next conversation in reference to that petition—take place the same evening on my passing out after you and Mr. McKim had left the room, had gone down stairs, in the reading-room?

A. No, we had a second meeting.

Q. Where was that?

A. It was up I suppose in the same room.

Q. In Mr. Wilkinson's room?

A. Either Wilkinson's or mine.

Q. You must be mixing something else up; I never met you afterwards?

A. Well, I think I can convince you that you met me twice; the first time that you met, you and Wilkinson seemed to have some difficulty about withdrawing the protest; you rather stood on your dignity, and said that if the protest was to be withdrawn that it was to be withdrawn through you, that you had full charge of it; then we had a meeting afterwards in the Walker House upstairs; it must have been in the same room; I recollect very well it was in the same room; and when you and Wilkinson came together the second time you were quite agreed on it.

Q. Do you mean to say you were there in the same room when I went in?

A. I don't know whether I was there when you went in or not, but I was there anyhow.

Q. Are you sure that I was present at that meeting?

A. Yes, you were present.

Q. I want you to think again; you don't want to say anything against me?

A. I don't want to tell anything but the truth. What impresses it strongly on my mind—the first time that you and Wilkinson and I met you were indignant about it; the next time you met you were all agreed upon it; you remember you and Mr. Wilkinson having some trouble about who should get the credit of overthrowing the Ontario Government?

Q. No, it never happened.

A. Do you stand up in this room with the veracity of a man, and say that never happened?

Q. Certainly, it never occurred.

A. Wilkinson said he had done more of that business than any one in the party, and he deserved credit for it; you were present; and he also said this, that he was quite willing to give the credit to Mr. Bunting, if you thought you were entitled to the credit as you had spent so much of your own money in the Conservative cause.

Q. That is all news to me; I never heard of that before; you must be entirely mistaken about that.

A. It is not new to the others that were there; Mr. McKim was there present.

Q. Mr. McKim did not tell us anything about that at all in all the three different examinations he has had.

A. Did you ask him?

Q. He has been thoroughly cross-examined three or four different times.

A. Do you recollect then at the second meeting?

Q. I don't recollect any second meeting at all.

A. You said, "now, you must not give too much of this timber away to your friends; our friends want to get a share of it; remember, I don't want any of this timber myself, all I want is to be made Solicitor of the timber business." Do you remember that?

Q. Nothing of the kind; I think you are trying to make two meetings out of the two different drinks you had there.

A. No, two evenings.

Q. How many drinks did you have that evening?

A. We had one.

Q. You had a good many before you came there?

A. No, I don't think we had; I was perfectly sober.

Q. I had my doubts about that at the time?

A. Well, perhaps you might have been a little in that direction.

Q. I don't know if the two glasses of beer I had in the room would make me so.

A. That is just to the extent that I had, too.

Q. It was my impression that you had a good many before you came there.

A. No, sir; I went down to supper at the Walker House, and came up here to the House, and was sitting in the House when Mr. McKim came to me the first time.

Q. How many drinks had you before you came into the room that night?

A. Perhaps one more that day.

Q. How many more than one?

A. I don't think any more than one.

Q. How many that evening before you came into that room at all?

A. I had none that evening until we went upstairs.

Q. How long had you been in the bar-room of the Walker House before you came upstairs?

A. I don't think I was in the bar at all; I came right down, and upstairs in a few minutes.

Q. Didn't you and Mr. McKim come up from the bar-room of the Walker House into Mr. Wilkinson's room?

A. No.

Q. Do you recollect that when Mr. Wilkinson would not take a drink that you took his drink too, as well as your own?

A. No.



*Q.* Upstairs in that room Mr. Wilkinson neither smoked nor drank, was a temperance man, and had been all his life, and you took drinks for both of them?

*A.* He drank repeatedly; I saw him in the Walker House; he drank wine and other drinks.

*Q.* Do you say you did not take two glasses of whiskey—one Wilkinson's and the other yours?

*A.* I don't recollect doing anything of the kind.

*Q.* Do you recollect ordering a second round of drinks?

*A.* No, I do not.

*Q.* And your repeating the dose the second time, taking two glasses—one of Wilkinson's and the other of yours—when the four drinks were brought in by the waiter?

*A.* No, I do not; it is not correct at all.

*Q.* Do you deny that?

*A.* I do; that is not so.

The CHAIRMAN.—Mr. Lyon has sworn that he was not intoxicated that evening at all.

Mr. MEEK.—I am trying to see if he would not admit that he was; sometimes men do not know when they are intoxicated.

The CHAIRMAN.—If he was intoxicated he would not know how many drinks he had.

Mr. BLAKE.—The only intoxication was the intoxication of the glory of defeating the Mowat Government.

The CHAIRMAN.—Let us get on faster.

*Q.* Do you recollect when I was passing out of the hall of the Walker House, either you or McKim whistling to me; you were sitting over in the reading room, but in a dark corner?

*A.* No, we didn't whistle to you; you came right up; I didn't notice you till you were right up beside me.

*Q.* Did you not whistle to me? That was along about twelve o'clock at night?

*A.* I don't recollect what time it was; it was not very late; we were in there I think reading newspapers.

*Q.* Were you not sitting side by side?

*A.* McKim and I were in the room together; you came down stairs and came in there.

*Q.* Were you and McKim not sitting side by side as I came downstairs, and was going to pass out?

*A.* We were in the reading room; you don't pass out through the reading room to go out doors.

*Q.* I was passing the door of the reading room when you two were sitting side by side?

A. We were sitting together I know when you came up and shook hands with us and said the matter was all right now.

Q. Do you remember saying to me that all you wanted to say was good-night, and to ask me to have another drink?

A. No, but I remember what you said; you said that it was all right now, the protest was all right, and we would be fast friends forever, and shook hands.

Q. Do you recollect asking me, "Now, won't you consent to withdraw that protest"?

A. You said the protest was all right.

Q. Did you not say to a gentleman in Toronto since this matter came out, that I never had made any approach to you at all?

A. No.

Q. Do you deny that you said that?

A. I do deny it.

Q. Of any kind whatever?

A. Most emphatically, too.

Q. Did you not say to Mr. Whitfield, who saw you then, serving a paper in connection with it, when you took him in and asked him to have a drink with you, and sat down and talked the matter over with him—did you not say to him that I had never made any approach to you of any kind, and McKim was entirely wrong in that?

A. I never did.

Q. You remember his serving a paper upon you?

A. He served me a paper in regard to the protest.

Q. And then he served you an order for your examination?

A. I think so.

Q. And it was after the exposure in the Police Court?

A. I don't recollect whether it was after or before.

Q. You have been examined since the 17th March in this case?

A. Yes.

Q. You were examined here a short time ago in the case?

A. Yes.

Q. Sometime before you were examined in the case you were served with an order for examination?

A. Yes.

Q. Sometime in April?

A. Sometime before, because I had gone home and come back again.

Q. Do you remember who served you?

A. I was served sometime in April, I think by a clerk of yours both times; I don't remember what his name was.

*Q.* He paid you a dollar, and do you remember telling him that he could take the dollar in and spend it?

*A.* I don't recollect; I might spend part of it.

*Q.* Do you remember saying to him that I had never made any approaches to you of any kind whatever?

*A.* Never said anything of the kind; I deny it most emphatically, because I would be telling a downright untruth.

*Q.* Was it you that sent Mr. Cameron M'Crea to me?

*A.* No, I did not send him to you, but he said he would go to see you.

*Q.* Do you mean to say you do not know about his coming to me twice about this matter?

*A.* Only once.

*Q.* Twice he came up to my house one evening just before you were examined here, in June?

*A.* He said he did not want to have another election; he would go and see you and have the protest withdrawn.

*Q.* And telling him to make a proposition to me that you would not give evidence if I would let the matter drop.

*A.* Yes, well, he might have said that to you; I don't know what he said.

*Q.* He came to me with your knowledge?

*A.* He said he was going to see you, that is all I know.

*Q.* And with your consent?

*A.* Well, I did not object to him going; I told him he might go if he liked.

*Q.* Did you also send him to Mr. Meredith when he went to him?

*A.* No.

Commission adjourned at 5.05 p.m. till 10 o'clock a.m. to-morrow.

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## FIFTH DAY.

FRIDAY, JULY 18, 1884.

Commission resumed at ten a.m., pursuant to adjournment.

All parties present.

The SHERIFF calls John Shields, Thomas A. Keefer, Frederick Stimson, and John A. Wilkinson, on their subpoenas. No response.

ROBERT ADAM LYON, recalled by Mr. Blake.

*Q.* You were elected as a supporter of the Mowat Administration?

*A.* I was elected as an independent.

Q. Were you or were you not a supporter for the Mowat Administration?

A. I was a supporter, yes.

Q. You presented to Mr. Pardee a policy which you thought in the interest of that portion of the province?

A. Yes.

Q. But he did not see it?

A. No.

Q. And you could not move him from the ground upon which he was standing?

A. No.

Q. Had you any interviews?

A. I just had one interview—one principal interview—and I saw that it was useless.

Q. Was that an interview at which Mr. Kirkland was present with you?

A. I think not.

Q. You were on another occasion with Mr. Wilkinson to see the Commissioner?

A. Well, I don't recollect of Mr. Kirkland being with me.

Q. One of the main matters in the policy of the Government was that they desired that the articles should all be put up at auction?

A. Public auction, yes.

Q. It was thought in this policy that it would be better to sell it as other Crown Lands?

A. Sell it as other Crown Lands, giving the timber to the settler, and not selling it by auction, by paying the regular timber dues.

Q. Then there was the usual discussion as to whether speculators would make more or less out of the sale or non-sale?

A. Yes.

Q. The Government thought it would be better to sell it by auction, and they continued that policy?

A. Continued that policy.

Q. Were you aware that Mr. Kirkland had at all approached any members of the Government, until he found that the Government would not alter that policy?

A. I am not aware of him approaching any member of the Government; as I said before, I do not recollect of ever being present with him at any interview.

Q. Then did you understand that he was approaching followers or supporters of the Government in regard to the timber policy?

A. I understood that he had spoken to different supporters of the Government to put the matter squarely before the Government and see if he could not get a change of policy.

Q. When did you know that from that he was going to interview the Opposition in regard to the question of the timber policy?

A. Well, I don't know that I was aware of him interviewing the Opposition at all

Q. Any of the members?

A. No.

Q. Private members—I do not refer to the leaders?

A. No.

Q. Will you just mention exactly what it was that Mr. Kirkland said he was prepared to do for Mr. Balfour?

A. He asked me to see Mr. Balfour, ask him to make a speech, and he gave me a statement of the description of the country and so on, to help him to describe the country in that section, and said that he would give him whatever was right for his trouble.

Q. Was it in that connection that the word right came in—that he would give him whatever was right for his trouble?

A. Yes, he brought that in very often in his conversation.

Q. Was it always in the same language or in the same terms—that he would give him whatever was right for his trouble?

A. Yes.

Q. Was it give or pay, or do you recollect exactly the language?

A. I think he never made any direct offer; he said he would give whatever was right.

Q. Then that paper he asked you to sign was an agreement to vote against the Government?

A. Yes.

Q. So that Mr. Kirkland, if he could get his policy without defeating the Government, would take it, but if he could not get it without defeating the Government, he was quite ready to defeat the Government to get it?

A. I don't think he had any intention of defeating the Government.

Q. He got you to sign a paper in which you said you would vote?

A. Yes.

Q. He did ask you then to do that?

A. Yes; at the same time I submitted all the information, before I took that course, to the Government.

Q. What was it you had told the Government?

A. I told them what Mr. McKim represented to me, that the protest would be withdrawn if I voted on that one question.

Q. Mr. Kirkland had asked you, in and through the round robin, to vote against the Government?

A. Yes, afterwards.

Q. And you were prepared to have done that?

A. Yes.

Q. And he was prepared to have done that, if he could not get his timber policy any other way?

A. I suppose there is no doubt of that.



Q. Otherwise it was absurd asking you to sign that piece of paper?

A. Yes.

Q. You did not fully answer Mr. Meek as to what took place about the question of the defeat of the Mowat Government; when you and Mr. Meek had the little passage-at-arms yesterday, he did not care for you to tell all about it; how did that arise?

A. I already explained how this meeting took place.

Q. How did that part of the conversation arise as to the defeat, and who was to have the glory of the defeat of the Government?

A. There seemed to be a misunderstanding among themselves, between Mr. Meek and Mr. Wilkinson and Mr. Bunting.

The CHAIRMAN.—Q. Was Mr. Bunting present?

A. Mr. Bunting was not present.

Mr. BLAKE.—Q. About what point was that?

A. Who was to have the glory of defeating the Mowat Government.

Q. Did that arise incidentally in your conversation?

A. I could not exactly say how it commenced, that part of it.

Q. What was said on that point?

A. Just what I have stated. Mr. Wilkinson said that he had done a great deal of that sort of thing.

Q. What sort of thing was that?

A. Buying up the parties at elections and so on, and that he was the cause of bringing this about.

Q. Mr. Wilkinson insisted that he had done a great deal in the way of buying up parties at elections, and that he had caused this result?

A. Yes.

Q. What was the answer to that?

A. That seemed to be admitted.

Q. He stood *facile princeps* in that?

A. Yes.

Q. What was the next?

A. Mr. Meek said that he had spent a large amount of his own private means for the support of the Conservative party—he believed more than any other man in the Conservative ranks—and that he should be entitled to the credit.

Q. Then did they decide it then?

A. No, there seemed to be some difficulty, but it was at the second meeting they were unanimous.

Q. There was another meeting, and this thing was brought up?

A. Yes.

Q. Who was at that other meeting?

A. Mr. Wilkinson, Mr. Meek, Mr. McKim.

*Q.* You say that it arose on that occasion ?

*A.* Well, they seemed to be united, and seemed to have reconciled all matters.

*Q.* Who was to have the chief glory there ?

*A.* Mr. Bunting.

*Q.* They both resigned—Mr. Meek and Mr. Wilkinson—in favor of Mr. Bunting ?

*A.* Yes ; Mr. Wilkinson was in favor of giving Mr. Bunting the credit in the first place.

By Mr. MEEK.—*Q.* You swore last evening, very distinctly, to three distinct meetings with me in reference to this matter ?

*A.* Yes.

*Q.* Mr. McKim was present at all those three meetings ?

*A.* Yes, I think he was present at all three meetings.

*Q.* One of them in Wilkinson's room ?

*A.* In the room at the head of the stairs ? I don't remember whether it was Mr. Wilkinson's room, or whose room.

*Q.* And the other in the reading-room at the hotel ?

*A.* In the reading-room ; you just came up and said what I have stated.

*Q.* You say at the first meeting I was opposed, and at the second meeting, in Wilkinson's room, I then consented to withdraw the petition ?

*A.* On the first meeting I was led to believe that you were going to withdraw the petition.

*Q.* From whom ?

*A.* From you.

*Q.* And at the second meeting ?

*A.* It was confirmed.

*Q.* You are just as positive about that as you are about anything you have stated to us ?

*A.* That is correct as far as my knowledge.

*Q.* The first meeting was the meeting at which I expressed indignation about being requested to withdraw it ?

*A.* No, there was not a great deal of indignation, though.

*Q.* You draw it mild on that ?

*A.* Yes.

By Mr. CASWELL.—*Q.* You say that Mr. Kirkland brought to you the paper called the "round robin ?"

*A.* Yes.

*Q.* What did he say to you when he brought it ?

*A.* He asked me to sign it ; I don't recollect what language he used ; I just read it, and signed it

Q. Had he apparently known what was in it before you read it?

A. Well, I could not say as to that.

Q. Did you read it out so that he could hear it?

A. No, I think not; I just looked over it; I may have done so; I don't recollect whether I read it aloud or looked over it.

Q. Do you think you held it in such a position that he could see what was in it?

A. Mr. Kirkland? oh, yes, he could see what was in it.

Q. He could easily see what was in it when you were reading it?

A. Yes.

Q. Did he make any remark to you about seeing the Government before you would sign it?

A. No, not that I am aware of.

Q. Did he not ask you to see the Government before you would sign any such paper as that?

A. No.

Q. Did he ask you to see Mr. Pardce?

A. No, I had seen Mr. Pardce already.

Q. No, but about signing this document?

A. Well, the signing of the document was to the same purport as what I had seen him about.

Q. What you had seen him about was about changing the timber policy, about this petition?

A. Well, the resolution was about the timber policy.

Q. Did he ask you not to sign that unless you had told the Government?

A. I don't recollect.

Q. He asked you not to sign it unless you told the Government that you were going to do so?

A. I don't recollect anything of that kind.

Q. Or let the Government know that you were going to do so?

A. The Government did know that I was going to do so.

Q. Did they know that you were going to sign a paper of this kind?

A. No, they knew I was going to vote.

Q. Did he ask you to let the Government know before you signed such a paper as this?

A. Not that I recollect.

Q. This is the first you heard of this paper?

A. No, not the first I heard.

Q. You say you had not seen the Government about this document before?

A. Not about that document before.

Q. Did he not ask you not to sign the document unless you let the Government know you were going to vote against them?

A. I don't recollect.

Q. I would like you to think carefully on that point?

A. I think I have thought carefully.

Q. Did he not put it that way, "Don't you sign this document unless the Government know that you are going to vote against them?"

A. No, I don't think at the time I signed it; but we had some conversation prior to him bringing that round robin to me, and asking me if I would sign one; I said, yes I would.

Q. He asked you what?

A. If I would sign one to vote against the Government on the timber resolution; I said I would, and when I saw the document I paid very little attention to it then.

Q. Did he tell you on that former occasion not to sign it unless the Government knew that you were going to sign it?

A. No, I don't recollect him stating it.

Q. Or that you were going to vote against them on that policy?

A. No, I don't recollect; it might be so; I don't remember.

Q. If he says so would you be prepared to contradict him?

A. I don't know that I would; I have no recollection; I know this, that Mr. Kirkland had no desire to overthrow the Government.

THOMAS MARKS, called by Mr. Blake, sworn.

Q. Where do you reside?

A. Port Arthur.

Q. You are the Reeve, I believe, of Port Arthur

A. Yes, I am Mayor of Port Arthur.

Q. Have you resided there long?

A. About twelve or thirteen years.

Q. Were you present in Toronto in the month of March last?

A. Yes.

Q. What was the object of your visit here?

A. I came down to get our town incorporated.

Q. I believe you were and have been for years past a prominent member of the Conservative party?

A. Yes.

Q. Was there any other object in your visit to Toronto other than getting the town incorporated?

A. No other object.

Q. Do you recollect when you came here?

A. I don't exactly remember; I came in January some time; I think it was about the middle of January.

Q. Then did you pay a second visit here?

A. No, I stayed on until the latter part of February, I think.

Q. Were you not down in Toronto subsequently to that, in March or April?

A. I continued in Toronto; I stayed in Toronto from the first of January until the latter end of February; I was attending to this incorporation bill.

Q. Were you not here in March?

A. I think I was; yes, part of March.

Q. At all events, it was one continuous visit that you paid here?

A. Yes; of course, I went on to Montreal and came back again.

Q. And then you returned, you think, to Port Arthur some time in the month of March?

A. No, I returned in the beginning of April.

Q. Then did you remain on in the city of Toronto, with the exception of your visit to Montreal?

A. Yes.

Q. So that you were here through March?

A. Part of March, yes.

Q. What time was it that you paid your visit to Montreal?

A. It was the time of the carnival; I forget the time now; it was in the beginning of March sometime, or the latter part of February; I am not certain.

Q. Did you go directly to Montreal?

A. Yes.

Q. And returned directly from Montreal?

A. No, I called at Ottawa on my way back.

Q. Do you recollect what time it was when you called at Ottawa?

A. Well, it was a few days after the carnival; I don't remember dates very well.

Q. You remember such things as a carnival?

A. Yes.

Q. You then did not take part in that?

A. No, I just went down there for curiosity; I think it was the latter part of February.

Q. You just remained through the carnival week, and then came up to Ottawa?

A. And then came up to Ottawa.

Q. How long did you remain there?

A. About three or four days.



Q. And then came on to Toronto?

A. Then came on the Toronto.

Q. Whom did you chiefly see in connection with the incorporation of your town?

A. Oh, I saw Mr. Hardy and I saw Mr. Mowat and Mr. Pardee; I also had some conversation with Mr. Fraser—he was Chairman of the Private Bills Committee.

Q. Had you any discussion with any of the members of the Opposition about your incorporation?

A. Oh, just a few of them; I asked some of them if they would support it.

Q. Was there any violent opposition to it?

A. Well, there was considerable opposition; there were some people from Port William there, who were interested there, opposing it to a certain extent.

Q. Was there anybody especially who was looking after your bill other than yourself?

A. Well, Mr. Lyon was looking after it.

Q. Anybody else in particular?

A. Well, Mr. Laird was down here for a time; he was of some assistance; he is stipendiary magistrate in Port Arthur; Mr. Lyon had charge of the bill.

Q. Did you, during your visit here, or do you, know a Mr. Wilkinson?

A. No, sir.

Q. Did you see him?

A. I don't remember ever meeting the man. I don't know him at all.

Q. Did you, during your visit, meet Mr. Kirkland.

A. Yes.

Q. Had you known him before?

A. I knew him; I have known him off and on for a couple of years.

Q. In what way did you first become acquainted with him?

A. He was exploring the Pigeon River country on the Minnesota side, I think first; afterwards I think he explored both sides, exploring the timber on both sides of the Pigeon River; he made some visits over to our place.

Q. Was he assisting you at all in the incorporation of your town?

A. Well, I don't know that he was; he probably would like to see it formed.

Q. Was he assisting you?

A. I don't remember; of course he was speaking in favour of it.

Q. Did you ask him to do so?

A. I don't think so.

Q. Had you any conversation with him about the political situation or aspect of matters?

A. Well, not much.

Q. What was the little that you had about it?

A. Oh well, the only thing that I had any conversation with him about was the timber policy; there was a petition sent down from Port Arthur and vicinity praying that the Government should change the timber policy and sell the land and the timber in place of selling it by auction, sell it to the settlers; that was the nature of the petition.

Q. That was your idea as well as Mr. Kirkland's?

A. Yes.

Q. That a policy other than that which was adopted by the Government should be adopted?

A. I thought it would be better; I was not particularly interested in it; I did not say much about it, but I thought it would be better if the land should be sold with the timber.

Q. You were not particularly interested, you did not take much trouble about that; but he did not speak to you about that?

A. Yes, we had several conversations.

Q. Did you know anything about a resolution being brought in, or to be brought in, upon the timber policy?

A. Well, Mr. Kirkland told me there was to be a resolution brought in.

Q. Do you recollect whether that was before or after your visit to Montreal?

A. Oh, it was before; just after I arrived first he told me about it—at least he said that he was endeavouring to get a resolution brought in the House.

Q. By the Opposition, upon the question of the timber policy of the Government?

A. Well, he did not say the Opposition then.

Q. When was it that he first told you that he would have to try and get the Conservative members to bring in such a measure?

A. Oh, I can't tell.

Q. Was that before or after you left for Montreal?

A. That was before.

Q. Did you say that you would see some of the Conservative members for him, or undertake any duty or office in connection with that?

A. I did, I think, tell him that I would see some of them.

Q. Did you do that?

A. No, I did not; Mr. Meredith spoke to me one day about Mr. Kirkland; he asked me what sort of a person he was; he asked me if he was a respectable man, I said I thought he was, and he said something about the timber policy. I said it would be better if we could get it changed; that was all; that was immediately before I went to Montreal.

Q. You recollect writing this letter (Exhibit Q.)?

A. Yes, I wrote that the morning I left for Montreal; I think it was in February; it was in a hurry.

Q. Would you be sure about the date?

A. February or March, I am not certain.

Q. Where were you when the announcement was made in the House of these transactions?

A. I was in Montreal.

Q. Then you see it must have been in March if you were only once in Montreal, because it is the 17th March?

A. Well, I was away some time before that.

Q. It could not have been in February, because that would take you to be five weeks in Montreal?

A. Probably it was in the beginning of March.

The CHAIRMAN.—What date does it purport to be?

Mr. BLAKE.—It is Toronto, 12th —, 1884.

WITNESS.—I wrote that in a hurry; it would be early in March; I can't remember dates very well.

Q. At all events you were in Montreal the 17th March?

A. Yes.

Q. And if you were in Montreal only in the neighborhood of a week, and you were only once there, and you wrote this letter before you went, it must have been the 12th of March?

A. Probably it was; I can't remember very well; I thought it was the first February or the latter part of February.

Q. This letter is in your handwriting?

A. Yes. (Letter read.)

Q. You were staying at the Queen's Hotel?

A. Yes.

Q? Try and tell me who it was that you had seen of the Conservative members of the House?

A. I did not see any one; the only man I saw was Mr. Meredith, and he spoke to me first about Mr. Kirkland.

Q. You say there, "I have seen two or three Conservative members?"

A. Well, I did that to put Mr. Kirkland off.

Q. But you put it here very particularly, "I have seen two or three Conservative members since noon?"

A. I did not though; I merely wrote that letter to put him off; he was continually bothering me about seeing members.

Q. The Mayor of Port Arthur would not tell a downright untruth would he?

A. No, sir; I was afraid Mr. Kirkland would probably get into a scrape the way he was talking, and I wrote him that letter to put him off.

Q. In what way was he talking that you thought he was endangering himself?

A. He was talking about getting members to make speeches.

Q. And what more

A. Well, nothing more particularly.

Q. You are an old enough politician to know that that is no crime; you have spoken yourself?

A. Yes; well, I thought he was talking rather rashly, and was going to get members of the Opposition—was going to pay them for making speeches.

Q. Was he going to pay any members of the Government for making speeches?

A. Members of the Government—the supporters of the Government, I mean; I wrote that letter to put him off.

Q. I just call your attention to it; that this is not that the kind of thing that anybody would imagine?

A. No, I know that quite well, but still I did not want to be mixed up in the matter anyway.

Q. The next line is not the kind of thing that one would imagine unless there was some fact for it?

A. No.

Q. I would like you to try and discriminate between what was just written to put him off and what conveyed the information that actually was given, and just listen—"I have seen two or three Conservative members since noon?"

A. Yes.

Q. Can you recollect any one of the Conservative members to whom you spoke except Mr. Meredith?

A. No.

Q. Do you recollect as a matter of fact whether that day you did write?

A. I remember that morning I was leaving I wrote the letter.

Q. You did see Mr. Meredith that morning.

A. I saw him in the morning, I think it was, of the day before.

Q. Then you say—"They all say it was better not to be in too much hurry with the resolution until they get matters well matured?"—that is not the kind of thing that you would imagine?

A. Well that is the way I did.

Q. Was there not some foundation of fact to that statement?

A. No sir; I swear positively there was no foundation.

Q. You heard nobody say, it will be better to postpone?

A. No, not one.

Q. Or to put off?

A. No, not one.

Q. "I shall be back on Tuesday and see you then; in the meantime if you have anything particular to communicate, write or wire me to Windsor, Montreal?"

A. Yes.

Q. Then when did you arrive back in Toronto ?

A. Well, I spent about a week in Montreal and about three days in Ottawa, probably more than that ; I returned before the Session closed.

Q. The date that is given us is the 25th March that it closed ?

A. I think a day or two before.

Q. So that you would be back here the 23rd or 24th March ?

A. I think so.

Q. Do you recollect the names of any of the persons that Mr. Kirkland spoke to you about as persons that he was going to pay ?

A. Well, I can't remember very well ; I think he spoke of Mr. McKim ; he spoke of several members, but I don't remember the names, I did not pay very much attention.

Q. You thought from the way it was drifting that there would be trouble, and you wrote that letter ?

A. Well, I thought it was a wild sort of scheme.

Q. Try to think the matter over ; can you remember the names of the persons he said he was going to pay ?

A. Well, he said Mr. Lyon was going to introduce it, I think,—introduce the Bill.

Q. Nothing about his protest ?

A. No, I didn't hear anything about that.

Q. Anybody but Mr. Lyon and Mr. McKim ?

A. I think he said Mr. Graham was going to support it.

Q. That is Mr. Peter Graham, the member ?

A. Yes ; he was going to support it.

Q. Was Mr. Harcourt's name mentioned as one about to support it ?

A. No, I don't think so.

Q. Mr. Balfour ?

A. I think so ; I can't remember very well.

Q. Dr. Dowling ?

A. Well, I don't remember.

Q. You can't be positive about the names, but you think there were those that you have indicated ?

A. No, I can't be positive of the names, he spoke of so many members that were going to support it, I could not remember the names of any one ; I was not acquainted with the gentlemen.

Q. That is all that you recollect of that passed between yourself and Mr. Kirkland ?

A. Yes.

MR. BLAKE.—This letter that was handed out to the Commissioners. I do not know whether they would desire any action taken upon it, or whether any of the other persons interested would desire.



The CHAIRMAN.—Which is that?

Mr. BLAKE.—The letter that was handed out by the Registrar yesterday. Of course so far as the persons immediately interested are concerned, very little attention, I suppose, should be paid to anonymous communications, but I think the idea of the Commissioners should be known, so that if anybody thinks that anything is to be obtained by it, we do not want that there should be anything but the fullest investigation.

The CHAIRMAN.—It is proper that a letter sent to me should be known to the parties. I do not think that an intimation of that kind ought to be entirely disregarded, even though it is anonymous; if any further information can be obtained about the writer, he ought to be found.

Commissioner SCOTT.—I think they ought to have an opportunity of calling him if they choose.

The CHAIRMAN.—Would any Counsel desire to have that gentleman summoned?

Mr. CASWELL.—Of course we object to the proceedings all through, and we don't ask any witnesses to be called.

The CHAIRMAN.—You said you wanted some persons to be called.

Mr. CASWELL.—That is in case we are forced to. We don't intend to call any witnesses. We have, of course, bowed to the Commission; the Commission have asked us to send in the names of parties to be called; we have done that; I have a protest all ready which will be handed in on Monday morning.

Mr. BLAKE.—In obedience to the demand that has been made, we have subpoenaed all the witnesses that have been called for by Mr. Kirkland that could be reached. I think there is one that has not been, but they have all been called in pursuance of that demand that has been made; we have done the same with Mr. Meek, who also made a demand.

The CHAIRMAN.—Mr. Harcourt has not been examined yet.

Mr. BLAKE.—He has not been examined; he was one of those that was demanded, I believe, by the other side. He did attend here; he was present for one of the days, to be examined. In connection with this, if the other side demand it, or if the Commissioners indicate that it is proper that he should be here, he shall certainly be subpoenaed by the Crown.

The CHAIRMAN.—Well, I do not think we ought entirely to disregard an intimation of that kind, even though it be anonymous; and it would be more satisfactory, and prevent any complaint by any person afterwards, to have him examined.

Mr. BLAKE.—That being the ruling of the Commissioners, he shall be examined.

Mr. MEEK.—I wish to say that my learned friend should not say that witnesses were demanded. The names put in by me were simply suggested as being gentlemen whom I thought would be proper to call. I did not name them as witnesses to be called on my behalf, or anything of that sort. I merely suggested the name, and said so in the list. I did not demand them—demand is not the word to use.

The CHAIRMAN.—Except the members of the Government, I think most of the gentlemen that you have mentioned have been summoned.

Mr. MEEK.—My learned friend will see at the conclusion of my notice that there is no authority for using that word.

Mr. BLAKE.—This is the notice. The material part of it on this question is:—"I would respectfully suggest to the Commission the names of the following witnesses to be examined." That was by Mr. Meek, and in pursuance of that, there were present Mr. Pardee, Mr. Hardy, the members of the Government; Mr. Gillmor, Mr. Sydere, Mr. Notman, Mr. Cartwright, Dr. Baxter was here, Mr. Graham, who has been examined, Mr. Awrey has been examined, Mr. Monk, Mr. Ferris has been examined, Mr. Hart, and Mr. J. G. Scott; then, under the instructions of the Commissioners, Mr. McMahon will be summoned; then Mr. McCraney was one of those that were suggested, and he is in Dakota; I do not know whether his presence is insisted on. I do not ask this for the purpose of binding Mr. Meek at all; but considering his protest, and without any waiving at all about it, whether he insists on it, in order that one may know what steps may be taken in future as to the progress of the Commission.

Mr. MEEK.—I merely say, in answer to that, that I have heard Mr. McCraney's name mentioned in connection with the matter, I think, in the public papers and otherwise, and I put down the names of all those that I could think of who I thought could throw any light upon the matter—of course against the Government, or against the members of the Government, as well as against any of the other parties. The list of the persons who could give evidence against any of the parties accused was given to me by Mr. Johnston, and I wrote him this protest, protesting against the proceedings, but at the same time suggesting those names, as I did not find them in his list, as being parties who might be able to throw some more light upon the whole matter.

The CHAIRMAN.—So you cannot tell what evidence Mr. McCraney could give.

Mr. MEEK.—I could not tell what evidence he could give; I have heard that he knew something about it.

Mr. BLAKE.—Then there was one other, Mr. Meek, that is, the Attorney-General; his name was furnished. I do not know whether that was to be insisted upon also.

Mr. MEEK.—The Attorney-General made his statement in the House at the beginning that he knew all about the matter from the beginning. I thought it was important, perhaps, to himself that he should be able to say whether he had authorized these various steps to be taken by McKim and others—whether he had advised in respect of them, and whether he had instructed them. I thought probably he might wish to deny that statement that had been made by certain parties.

The CHAIRMAN.—I suppose if he desires to be examined in his own behalf he can state so; the question is whether he is a material witness for you.

Mr. BLAKE.—Whether you consider him so, because the Commissioners understand, and my learned friend understands, that anything that passes does not waive his protest or right, or anything of that kind to object, but simply we wish to know whether you insist on the examination of Mr. Mowat before the Commission closes.

Mr. MEEK.—As to the witnesses in general, and my course in connection with them, as I mentioned to your Lordship before, I have submitted the matter entirely to Dr. McMichael, my counsel—and I expected that he would be here this morning—or at all events he was to be notified by Mr. Blake before any further steps would be taken, and he will state to the Court exactly the course we will pursue.

The CHAIRMAN.—You cannot say just now, then?

Mr. MEEK.—No.

Mr. BLAKE.—The only reason I asked that question of the Commissioners was this, that I thought that it was very material that they should determine at as early a period as possible, what was the position which they thought it proper to take in regard to certain of the witnesses. So far as the immediate matter of the bribery is concerned, not using that term except as it had been used in connection to this matter, these approaches, or whatever they may be termed, all the evidence that is proposed to be adduced at present on the part of the Crown has been laid before the Commission. There are certain witnesses whose names have been brought so prominently forward by those that have been examined, that I submit that the Commission should not be closed without further attempts being made at procuring their attendance; one is Mr. John Shields, another is Mr. F. Stimson, another is Mr. John A. Wilkinson, and the other is the Hon. D. L. Macpherson. When I say, attempts being made—I do not for a moment pretend to say that the Hon. Mr. Macpherson did not leave for his health, and had any other reason whatever—I simply say that he does not happen to be here present at the moment, and your Lordships have seen the letter that has been written by him, and have heard of the action of Mr. Shields, Mr. Stimson, and Mr. Wilkinson in this matter. Then there was also a reason why I asked as to Mr. McCraney, because he has been attending to his own business in Dakota, and he will not be back for some time, and it is impossible for us to reach him by any subpoena. The Attorney-General, as has been already said, is in Great Britain upon the public business, which would preclude him being present at this period of the year attending this Commission. Now, I do not know whether my learned friends would proceed with their portion, or the portion of the case that I have indicated as being up to the present closed on the part of the Crown, or whether they would insist upon the examination of these others, before they go into that branch of the case. I have gotten the affidavits all ready to show the exertions that have been made to get Messrs. Stimson, and Wilkinson, and Shields, and also the materiality of their evidence, but of course the matter is very much now in the hands of the Commissioners, and I desire to be ruled, to a large extent, by what they think as to the materiality of the evidence, and as to the course that would be proper to pursue.

The CHAIRMAN.—We think that notice of some kind ought to be given to Mr. Wilkinson and Mr. Stimson of the proceedings, and to other persons that have been mentioned. Of course, they cannot be compelled to give evidence in matters of this kind. The statute expressly gives them the power of sheltering themselves against giving evidence if the giving of evidence would tend in any measure to criminate themselves, but we think they ought to have notice of these proceedings, if they have not already had it; some endeavours ought to be made to give them express notice.

Mr. BLAKE.—If the Commissioners would allow me I would just read the affidavit, which shows what we have been doing, and then if the Commission thought well that these persons should be examined, of course I then desire the opportunity of following up that which would be the supplement of the evidence given by the Hon. Mr. Pope and Mr. Carling, by the examination of Mr. Trudeau, Mr. Taché, and Mr. McDougall, and whatever other persons there may be in Ottawa who would be able to give us the details which, naturally, Mr. Pope and Mr. Carling did not know in connection with their offices. (Mr. Blake then read affidavit of William Johnston as to the witness Wilkinson). I think the Commissioners will conclude that everything has been done that could be done to endeavour to inform Wilkinson. As to the witness Stimson, I will read an affidavit. (Mr. Blake then reads an affidavit of William Johnston relating to Stimson.)

The CHAIRMAN.—Are there any other witnesses that you desire to examine now?

Mr. BLAKE.—No other witness.

The CHAIRMAN.—You do not desire to examine the members of the Government?

Mr. BLAKE.—No, my lord.



The CHAIRMAN.—I do not know whether Mr. Meek or Mr. Caswell will deign to inform me whether they mean to summon any witnesses ?

Mr. BLAKE.—The reason I was asking was, without prejudicing or binding in any way, that it would be convenient for the Commission to know what was to be done, because one of the members of the Government, of course, cannot be back for some time.

The CHAIRMAN.—Mr. Bunting is absent too. He ought to have an opportunity.

Mr. BLAKE.—I have an affidavit as to that. (Reads affidavit of William Johnston).

The CHAIRMAN.—Mr. Wilkinson may be on his road now.

Mr. BLAKE.—He may possibly be on his road now. There is nothing from which we could say that positively ; but I should certainly suggest to the Commissioners that I do not think it is reasonable that there should be the examination of one of these persons on one day, and the other ten days or a fortnight afterwards. Of course, so far as Mr. Shields is concerned, I put in an affidavit. (Reads affidavit of William Johnston).

The CHAIRMAN.—I suppose you could proceed to attach Mr. Shields upon that subpoena, if you wished to proceed in that way.

Commissioner SENKLER.—Is there no person who can tell when Mr. Bunting is likely to be here without making any intimation without authority.

The CHAIRMAN.—(After a pause).—Well, as we can get no assistance from any one, it seems, in the matter, we must take our own course.

Mr. BLAKE.—Would your lordship allow me for one moment ? I desire also, as I have said, to examine those persons in Ottawa, and it will take some little time to make an enquiry as to that. We must now have Mr. McMahon here, endeavor to have Mr. McCraney here, and we desire of course to endeavor to have Messrs. Shields and Wilkinson. I do not know what time it will take to further prosecute the investigation so far as Mr. Stinson is concerned, but all the evidence that we have would be simply of those persons, and perhaps will take two or three days. I should not like to have a meeting without the matter being concluded upon the next meeting of the Commission, and I presume the Attorney-General would be out sometime about the 1st of September.

The CHAIRMAN.—I was going to propose the last week in August, for I have no time after the first week in September.

Mr. BLAKE.—Your lordship sees what a very difficult thing it is to send up into the North-West and the United States, and obtaining the information in Ottawa which we require will take some little time, and what I was very anxious to do was that by our next meeting we should be able to close, and not have any further reason or cause for adjournment.

The CHAIRMAN.—There is one meeting on Friday next.

Mr. BLAKE.—That, of course, will stand over, because Mr. Meredith stated that they would not examine until our case was closed, and it would be unreasonable to summon those persons here again for a formal meeting.

The CHAIRMAN.—Unless there is a necessity for it, I do not think I could propose a postponement beyond the first of September, because the ordinary duties imposed upon me take up all my time.

Mr. BLAKE.—I am aware of that, and that is the reason I do not think we could

make an appointment that would be satisfactory before that, but then three or four days would certainly conclude the whole of the evidence that would be given.

After consultation with the other Commissioners.

The CHAIRMAN.—Monday, first September, we think we can give some days at that time to it; and probably at that time we will be able to fix some further period; at noon on first September.

Mr. BLAKE.—You indicated as to Mr. McMahon; Mr. Harcourt's name was mentioned; I do not know whether the Commission would instruct also as to him.

The CHAIRMAN.—I see his name is in the list that has been given to us; I supposed that he would have been called.

The CHAIRMAN.—The adjournment then will be till noon on the first September, and at that time the prosecution will have to try to complete their case by the examination of their witnesses that have been mentioned, and an opportunity will be given to those other gentlemen to appear and be examined if they choose to be examined.

Mr. CASWELL.—I understood that the Crown had named Mr. Kirkland as a witness, and have served him with a subpoena and brought him here, although he lives in foreign Territory; the Crown served him with a subpoena in Wisconsin and brought him here.

Mr. JOHNSTON.—You named him yourself; we subpoenaed him for you.

Mr. CASWELL.—He was named by the Crown.

The CHAIRMAN.—I do not think he is in the Crown list at all; he was subpoenaed by you people.

Mr. CASWELL.—It is in the Crown list, as seen in the Commission.

The CHAIRMAN.—However, Mr. Kirkland need not answer unless he pleases.

Mr. CASWELL.—He is here if the Crown wishes to call him; he wishes to go home; he is away from his business.

Mr. BLAKE.—If he desires to be examined we are willing that he should be; I am perfectly willing to take his evidence; he is in the list on behalf of Mr. Kirkland—the first name they give.

The CHAIRMAN.—And on behalf of the Crown he is mentioned also.

Mr. BLAKE.—Certainly, and he is subpoenaed, and if he is here and desires to be examined I am perfectly willing to attend here and take his evidence.

Mr. CASWELL.—He is here in attendance, and if your Lordships will discharge him so that he can go home——

Mr. BLAKE.—You do not suppose he is to be anchored here till the first of September.

Mr. CASWELL.—He does not want to come back here; it is a matter of two thousand miles; if your Lordships will discharge him from the subpoena he could go home.

Mr. BLAKE.—If he desires to give any evidence, I am perfectly willing to be here and attend, and if the Commissioners desire it, I am willing that it should be taken.

Commissioner SCOTT.—You do not tender him on behalf of the Crown?



Mr. BLAKE.—I do not tender him on behalf of the Crown.

Commissioner SCOTT.—Then, as far as his subpœna is concerned, he is relieved from that.

Mr. CASWELL.—He is discharged.

Commissioner SCOTT.—He is relieved from that I suppose. I do not suppose he was properly bound to attend at all.

Mr. BLAKE.—Mr. Kirkland asked that we should subpœna him, himself.

Mr. CASWELL.—Not at all.

Mr. BLAKE.—It is in your list—the first in your list. “On behalf of F. S. Kirkland, F. S. Kirkland.” Mr. Kirkland could not rely upon himself, I suppose, and asked that he should be subpœnaed, and I subpœnaed him.

Mr. CASWELL.—He did not ask to be subpœnaed ; his name was furnished among the list of names that were to be called.

Commissioner SCOTT.—Does not that mean to subpœna him ?

Mr. BLAKE.—If your Lordship will allow me for a moment. This is a copy that Mr. Caswell has served—a list of witnesses which Mr. Frank S. Kirkland wishes to have called before the Royal Commission, and the first witness is F. S. Kirkland, Neillsville, Wisconsin ; and the only way that we could satisfy that, was by subpœnaing him, and we subpœnaed him.

Commissioner SCOTT.—Undoubtedly.

Mr. CASWELL.—That notice is that the Commission may call him.

Commissioner SCOTT.—He says he wishes to have them called.

Mr. BLAKE.—Well, he has them called.

Mr. CASWELL.—So that now he is here in obedience to that subpœna, and the subpœna was issued by the Crown.

Commissioner SCOTT.—Well, he is discharged from that.

Mr. BLAKE.—He has an opportunity of telling his story if he likes, and he declines.

The CHAIRMAN.—He does not offer himself.

Mr. CASWELL.—Your Lordships have said the Crown has not closed their case, so that I suppose it would not be in order for him to come forward now.

The CHAIRMAN.—Just as you please. You say you do not want to come back again. Mr. Blake is willing to have him examined now.

Mr. BLAKE (To Mr. Caswell).—You cannot get up a grievance upon this any way you put it. Were not even his expenses paid ?

Mr. CASWELL.—That is a matter for the Crown. If he was subpœnaed I suppose his expenses should be paid.

Mr. BLAKE.—If he does not wish to be subpoenaed he should give the money back.

Mr. CASWELL.—I desire formally to put in this protest. (Protest produced.)

Commissioner SCOTT.—You had better file it the same way as Mr. Meek's was filed.

Mr. CASWELL.—It is on larger grounds than his.

The CHAIRMAN.—We understand you object to everything.

Mr. CASWELL.—Yes, my Lord.

Commission adjourned till Monday, 1st September, at noon.

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MONDAY, Sept. 1st, 1884.

Commission met at noon, pursuant to adjournment.

The CHAIRMAN.—Have you any further witnesses to call, Mr. Blake?

Mr. BLAKE.—Mr. Badgerow.

SIR DAVID MACPHERSON.—I beg to say to the Commission that I am here, in response to the subpoena that I received from the Commission, prepared to testify ; but as I am a member of the Government, it would be a great inconvenience to myself and inconvenience to the public service if I could not be examined at once. Had I not been detained to give evidence here, I should now have been in the North-West Territory in discharge of my public duties. I would ask the Commission either to examine me and discharge me or to name an early hour for my examination.

The CHAIRMAN.—I suppose you have no objection to taking Mr. Macpherson's evidence now?

Mr. BLAKE.—As soon as I have examined four or five other witnesses, my Lord, I will examine him at the earliest possible moment.

The CHAIRMAN.—If possible I would ask precedence to be given to suit Mr. Macpherson's convenience.

Mr. BLAKE.—I shall do so to the very utmost of my powers. I have subpoenaed some telegraph operators, and I desire to examine those in advance, and one other witness; the moment that is done I would examine Mr. Macpherson.

The CHAIRMAN.—Will that examination take long?

Mr. BLAKE.—I would say it would be an examination of not more than a couple of hours.

The CHAIRMAN.—Sir David, will that suit you?

Sir DAVID MACPHERSON.—Whatever the Commission say.

The CHAIRMAN.—I am very desirous to suit your convenience, but we have not control of examination of witnesses, and I cannot interfere with the order that the counsel wishes to adopt for the purpose of examining them. If they find it more convenient to

examine the others first I cannot interfere, but in the course of two or three hours I suppose they will be ready to examine you.

MR. BLAKE.—He is here, and if the Commissioners desire to examine, of course I do not say—as I could not say—anything against that; but if your Lordships ask whether, in the course which I will pursue as representing the Crown, I would now examine Sir David Macpherson, I would say that I would not do so. I may just mention in regard to the examination of the telegraph operators, that they were all subpoenaed before from Ottawa, and were to have been here. Mr. Hector Cameron wrote a letter stating that it would be extremely inconvenient to the telegraph authorities to have all their operators here. It was answered that perhaps if that were so, and absolutely necessary, that two might come here to-day, and two to-morrow. I do not know whether the four operators are here or not; I do not know whether I can examine the four to-day, but it is no default of the Crown; they have been duly subpoenaed; and it is simply the convenience of other persons coming in contact with the convenience of Sir David Macpherson that may prevent their being here. We simply suggested that if they felt that it was absolutely necessary to the carrying on of the telegraph work, that that might possibly be done; and I have not seen Mr. Hector Cameron, who wrote the letter, to see whether the four will be here or will not.

THE CHAIRMAN.—Sir David, in the course of the afternoon we shall be able to take your examination.

GEORGE WASHINGTON BADGEROW, called by Mr. Blake, sworn :

Q. You are a member of the Legislature of Ontario, and was so during the last session?

A. Yes.

Q. Were you present at the sittings of the House?

A. Yes.

Q. Did you know Mr. J. A. Wilkinson?

A. I know him now.

Q. Did you know him during the time that the House was sitting?

A. I did not, except the last few days of the session of the House I had come to see him; I had seen him before the session closed, but I had not known him previously.

Q. Did you know Mr. John Shields.

A. Yes.

Q. Had you seen him during the sittings of the House?

A. Yes.

Q. Did you see him alone or with anybody?

A. I saw him with one person, and I saw him alone.

Q. Which was the occasion of your first seeing him?

A. On King street; I was going down from my office after twelve o'clock on the Friday previous to the arrest; he and another gentleman were walking together; I walked past them, and as I did so Mr. Shields broke off with his companion and came with myself; went eastward on King street.

Q. Did you know with whom he was walking ?

A. I don't know.

Q. Had you then any conversation with him ?

A. With John Shields, yes.

Q. What was the purport of the conversation ?

A. I had known Shields for some time, and had often met him ; he at once said, " Hold on Badgerow," I was walking faster than they were, past them, he said, " Hold on, Badgerow, I will walk down with you." He very soon commenced to talk upon political matters, as was his custom on meeting him, and after very little time he went to discuss Mowat's chances of being defeated in the House. I had heard him before say the same things, and I attached very little weight to what he said in that direction, for I thought it was absurd. He said, however, that the Mowat Government were going to be defeated sure. I said I had heard him say that before, I had seen that in papers very often, but instead of the Government becoming weaker it was actually growing stronger from day to day in the House. Well, he said, I did not know that as a matter of fact the Government were going to be defeated—that he knew it was. I then asked him how he made that out ; I said, " Suppose all the independent members voted against the Government, even then the Government would have a very fair majority, and I knew that one of the members, one of those who had been elected as an independent supporter of Mr. Mowat, as I said to him, sat near to me, and I knew that he was one of the firmest and most reliable supporters that the Government had, and there could be no defection in that quarter, and that Independents, at all events, I am sure could not vote against the Government." I named the gentleman, and he said, " Yes, I know that that is so, I believe you are correct ; but there other members in the House will vote against the Government." I did not attach much weight to what he said ; it did not seem to me that there was anything at all in it—more bluff than anything else. I was in something of a hurry ; I had had an appointment with a client at my office at one o'clock, and I wished to get my lunch before I went there. As I turned down Leader lane to get my luncheon in a restaurant there, he said, " Hold on," he wished to speak to me further ; so I then went with him further and he said, " Depend upon it, Badgerow, the Mowat Government are going to be defeated ; I know that it is." He said, " I will not mention any names, any members who are going to vote against the Government who are now supporters of it, but I know, and you may rely upon it, they are going to be defeated, and now, Badgerow, is your chance ; a coalition will be formed, and now is your chance to become one of them." The conversation continued for some little time, but that was the substance of what was spoken of. Afterwards he wanted to know why I should object to a coalition. I gave him two or three reasons why I believed that no Reformer-Liberal could coalesce with Mr. Meredith, mentioning two or three important questions that had come up before the country.

Q. But nothing further passed between you ?

A. He merely reiterated that it was going to, and that I was a fool if I did not avail myself of a chance of going into the Government—that there was no difficulty about the question of principle—parties being able to harmonize their differences of political public view on public questions.

Q. Had you any further inducements held out to you ?

A. None other.

Q. Had you any further conversation with him ?

A. Not after that.



Q. Did you see him in any person's company at all?

A. Not except on this occasion. There was a gentleman walking with him, a tall man, large man, a man about his size.

Q. Did you know who he was?

A. I never had seen the man before.

Q. Do you know who he was now?

A. Well, I have heard a man described at the former sitting before the Committee; some evidence was given at the Committee of the House, and I heard a gentleman described there, and I think that I know now who it was, from that description.

Q. Would you know him from his likeness?

A. I have not seen his likeness.

Q. Look at these? (Exhibits M. & N.—photographs of Stimson—shown to witness)

A. I could not say now that that was the party.

Q. You have not since seen him so as to recognize him?

A. I had never seen him before, and I have never seen him since to my knowledge; I paid very little attention to him as a stranger.

Q. That was the only conversation you had with Mr. Shields upon this matter?

A. That is all.

Q. You had no conversation with any of the other persons whose names are mentioned in this matter.

A. No, I do not know whose names are mentioned in this matter.

Q. With Mr. Wilkinson you stated that you had not?

A. No.

Q. With Mr. Bunting?

A. No.

Mr. BLAKE.—Dr. McMahon, who was subpoenaed, is here now, if it is desired to examine him. At the last meeting it was suggested that he should be subpoenaed owing to the letter that the Commissioner received, and in pursuance of that he has been subpoenaed, and he is here now, and that I understand that he is desirous of going away.

The CHAIRMAN.—Let him be called.

JAMES McMAHON, sworn.

Mr. BLAKE.—Would the Commissioners ask Dr. McMahon? I have never seen or heard, and I have no memo. at all as to anything that Dr. McMahon knows about the matter.

The CHAIRMAN.—Well, I thought that it was proper, seeing the notice given to the anonymous letter, that he should be called, on the supposition that you would ask him if he knew anything concerning the matter in the first place.

Mr. BLAKE.—And the Commissioners instruct me to do so?

The CHAIRMAN.—Yes.



Mr. BLAKE.—Q. You are a member of the Legislature of Ontario ?

A. Yes.

Q. And were present during the last sittings ?

A. Yes.

Q. Do you know Mr. C. W. Bunting ?

A. I know Mr. Bunting slightly, yes.

Q. And Mr. J. A. Wilkinson do you know ?

A. I do not know him—have never seen him that I recollect of, although I believe I did so some years ago, but I do not recollect him.

Q. Do you know Mr. Shields ?

A. I have never seen Mr. Shields to know who he was till this morning ; he was here at the time that I came into Court.

Q. Do you know Mr. Stimson, or Lynch ?

A. No sir.

Q. As the Commissioners have informed you, a letter was received stating that there was information that you could give upon the matters before them which would be of great importance, and in pursuance of that, and under the instructions of the Commissioners, you have been subpoenaed, and I desire to know whether you are aware of any of the matters connected with this investigation or not ?

A. I cannot give any special evidence, sir.

Q. You say you do not know Mr. Wilkinson or Mr. Stimson ; had you ever any conversation with Mr. Bunting upon any matters ?

A. I did, sir ; yes, general conversation.

Q. Had you more than one ?

A. I think I conversed with him twice.

Q. Do you remember about when and where the first conversation was ?

A. Well, I can't recollect ; I can't place any date on it, because I placed so little importance on what took place at the time that I did not ; it was some time before the arrest of Mr. Kirkland in the House ; some little time before that ; I think that the first conversation that I had with him was the night that Mr. Gibson was speaking in the House ; I was introduced to Mr. Bunting that night.

Q. According to Mr. Gibson's statement, if that was the occasion of Mr. Gibson's speaking upon the Address, was it that you refer to ?

A. Well, he was speaking, I think it was on the Address ; it was some time, I don't recollect, before the Address.

Q. He guessed that as being the second week of the holding of the Parliament ; it began on the 23d January, and it was in the second week that he spoke ?

A. Well, I thought it was later than that, but I may be mistaken, because I paid very little attention to it.

Q. What length of time was there between the two conversations ?

A. I should think about a month. very probably.

Q. Do you recollect where that first conversation took place?

A. It took place up at the House of Assembly.

Q. Do you recollect where the second took place?

A. Yes.

Q. Where was that?

A. It took place in the *Mail* building.

Q. Was any person present at the first conversation that you had with Mr. Bunting?

A. Well, I don't know that there was anybody; there were a dozen, for that matter, about, at the time we were speaking; I don't know that there was any one paying any particular attention to what we were saying.

Q. In what part of the House was it the conversation took place?

A. It was at the left hand of the Speaker.

Q. Was the House sitting at the time?

A. Yes, sir.

Q. What was the subject of conversation between you?

A. Mr. Bunting was speaking in regard to the Government, and he thought it was a pity that the Government should be carried on with so much party, and that there was so much partyism displayed, and that it would be better that there should be a Coalition Government, and I differed with him; that was about all; just such a conversation as would take place between two men talking about politics holding different opinions; he thought one way and I thought another.

Q. Did he suggest any possibilities or probabilities as to the formation of the Coalition?

A. He did not at that time.

Q. He did at the second conversation, perhaps?

A. I think that there was something spoken about it at that time—the second conversation. Perhaps it would be as well for me to say how I met Mr. Bunting the second time; I was coming out of the Rossin House, going down to the House to a Committee meeting.

Q. I was going to ask you that in a moment; was there anything said about the probabilities or possibilities of defeating the Mowat Government on the first occasion?

A. No sir, I think not.

Q. It was simply the benefits of a Coalition Government that were discussed between you?

A. Yes.

Q. Then had you any interviews with Mr. Bunting between this one that you have spoken of, and what you call the second?

A. No.

Q. No communications through any person else?

A. No sir.

Q. Any discussions with any person ?

A. No sir.

Q. On the second occasion you happened to be coming out of the Rossin House ?

A. Yes, where I board during the session ; I was coming out of the Rossin House, going down to a Committee of the House ; it was to meet at eleven o'clock, and I think that was about half past nine ; Mr. Bunting met me as I was coming out of the House and said "good morning," and asked me where I was going ; I said, "Down to a Committee meeting," he said, "Why it is early, let us take a walk," so we walked down on to Wellington Street, and along Wellington to Bay, and up to the *Mail* building together.

Q. Did you enter the *Mail* building ?

A. Yes, I was into his office in the *Mail* building.

Q. State as accurately as you can what took place on that occasion ?

A. Well, we talked generally about the Government, and he talked in regard to the probability of Mr. Mowat being defeated ; I disagreed with him ; that was about all he said ; he thought there were certain members of the Legislature that were likely to vote against the Government, and I said I thought they would not ; I said that I did not think there was any chance of the Mowat Government being defeated.

Q. Were the names mentioned ?

A. Well, I think there were some names mentioned—yes sir.

Q. Who were those names ?

A. He said he was quite satisfied Mr. McKim would vote against the Government ; he said he was sure Mr. Balfour would vote against the Government.

Q. Anyone else ?

A. Well, he was not certain about some others ; I think Mr. Hart's name was mentioned ; Mr. Neelon's name was mentioned.

Q. Anyone else ?

A. Yes, there were some others ; I think he said probably Mr. McCraney will vote against the Government ; when he came to Mr. McCraney, I said I did not think there was any chance of his voting against the Government.

Q. Mr. Dowling ?

A. Yes, Mr. Dowling he said he thought in all probability would vote against the Government.

Q. So that he had them labelled pretty accurately ?

A. I don't know whether he was accurate or not.

Q. He seemed to think that he was ?

A. He said "in all probability these men will vote against the Government."

Q. Anything about Dr. Cascaden ?

A. Dr. Cascaden's name was mentioned.

Q. How had he labelled him ?

A. Well, he thought possibly he might vote against the Government. I disagreed with him altogether on that, because I thought that Dr. Cascaden could not complain of

his treatment at the hands of the Government. I did not think he would vote against them.

Q. Mr. Lyon?

A. Mr. Lyon's name was mentioned.

Q. Was he a possibility or probability?

A. Well, I think it was a probability; that is what he thought. He did not say anything further than he thought these men would vote.

Q. And the result of that would be the defeat of the Government?

A. He thought the chances were that the Government would be defeated.

Q. And then from the defeat of the Government would arise his Coalition?

A. Well, I suppose that is what he assumed might, or at least would, in all probability take place.

Q. What did he say to you upon it?

A. He said he thought that the Coalition ought to be formed.

Q. Did he say anything to you as to your vote?

A. No, sir.

Q. Were you very positively the other way?

A. Well, I suppose he understood from the way I spoke that he did not put me down amongst the number.

Q. That he could not even put you amongst the possibilities?

A. No, sir, he did not assume that.

Q. Was your attitude all along that the thing could not be done?

A. Yes, I gave it as my opinion that it was impossible.

Q. Had you any further conversation with him?

A. Not specially in regard to anything political, that I recollect of; I think I did see him once or twice after that, but there was no special conversation more than ordinary conversation; I dare say political conversation was brought up.

Q. You think you saw him only a couple of times after that conversation in the *Mail*?

A. I think so.

Q. Could you say how long before the arrest this took place in the *Mail*?

A. I think it would be three weeks; however, I would not be positive in regard to time, because I paid very little attention.

Q. You of course was elected as a supporter of the Mowat Government?

A. Yes.

Q. And continue to be so?

A. Yes.

Q. There is no question about your vote at all?

A. I have generally voted with them; sometimes I vote against them.

Q. On any of these other occasions was anything said about Coalition ?

A. I don't recollect that there was.

Q. About the defeat of the Government ?

A. No, sir.

Q. What was the subject of your conversation ?

A. I think the subject of the conversation would be pretty much the same, only we did not enter into it perhaps at the same length. I supposed that Mr. Bunting had made up his mind that my views and his differed in regard to it, consequently there was no talk very much about it.

Q. That you could not coalesce at all, whatever others might do ?

A. I did not say I couldn't or I wouldn't, but I gave him to understand that I did not think there was a possibility of the Mowat Government being defeated ; I did not say I would or I wouldn't, because he did not ask me.

Q. Had you any conversation with any others about a coalition, any one at all ?

A. Oh, I might have general conversation with Conservatives or Reformers in regard to that, such as happens every day.

Q. Do you recollect any Conservatives with whom you have had conversation ?

A. Oh, I have had conversations with Conservatives in my own riding in regard to that.

Q. Any members of the House ?

A. Conservatives ; I don't recollect that I had any at all, unless general conversation, which might take place in the smoking-room.

Q. You cannot give to the Commissioners any instance in which you have had conversation ?

A. No sir.

Q. Was your conversation with the Reform members as general as that with the Conservatives, or had you any specific ?

A. Oh, I think it was general ; the matter of course I suppose you are referring to, all that took place last session, because I am not prepared to enter into anything that might have taken place before the beginning of the session ; that is all, I presume, you have anything to do with.

Q. Yes, and that is the only period I shall cover in my question ; and during that period of time you are not aware of any specific conversation you had except the one you have indicated with Mr. Bunting ?

A. No.

Q. The conversations were general ?

A. General.

Q. Are you aware of any other matter in connection with this investigation or Commission that is material to it ?

A. No sir, I am not.

Q. You are aware of the accusation that has been brought ; you, of course, were a



member of the House and heard what passed, and you come here to testify to any matter that is material, and therefore I ask you that general question?

A. Well, I suppose it is in reference to the bribing of members of the Legislature.

Q. Bribing or approaching?

A. Well, there was no one either bribed me or attempted to bribe me in regard to my vote one way or the other.

Q. You have given us all that took place one way or the other so far as you are concerned?

A. Yes, anything that I know of about that is what took place on the streets, or which might be in the papers.

The Sheriff called upon their subpœnas: Orman Higman, Hilaire St. Jacques, Frank Gallagher, and Edward M. Marshall. No response.

Mr. BLAKE.—Unless there is some representation made to the Commissioners that that should not be so, I shall have to ask process against these operators for non-attendance.<sup>3</sup> I cannot close without their evidence.

The CHAIRMAN.—They may be here in the course of an hour or so.

Mr. BLAKE.—Certainly; that is the reason that I suggest that there should be delay.

JAMES BAIN, called by Mr. Blake, sworn:—

Q. You are a clerk in what department of the Government of Canada?

A. Department of Railways and Canals.

Q. How long have you been clerk in that department?

A. Since 1857.

Q. You were served with a subpœna *duces tecum* in this matter, and you were asked to produce certain papers; have you produced them?

A. I have got copies of them.

Q. Have you not the originals?

A. No, I have copies.

Q. Why did you not produce the originals?

A. Because I thought that the copies would be sufficient.

Q. You were subpœnaed to produce all directions, requisitions, recommendations, cheques, books, papers or documents relating to the payment of any moneys to John Shields, or to the firm of Manning, McLaren, Macdonald & Co., or to any firm of contractors of which said Shields is a member, by the department of Railways or Canals, in the months of July, 1883, to June, 1884, inclusive, together with any payments to John A. Wilkinson, for any work or employment of any kind in charge of the said department: did you seek for the originals of any such papers?

A. Yes.

Q. And you did find the originals?

A. Yes.

*Q.* Is there kept in your office any document showing the time at which a person is employed in the department?

*A.* Oh yes, there is a record of all people in the department.

*Q.* Is that kept in a book?

*A.* Yes, it is kept, and the payments made to them for their services.

*Q.* Is there any book in which a record is kept of the period of time at which any person enters into the employment?

*A.* Yes, it is in the record room.

*Q.* Has that any connection with the Department of Railways?

*A.* Yes.

*Q.* Have you got a record from that?

*A.* No, I have not got a record from that.

*Q.* And you have not got that book in which that record is kept?

*A.* No, I have not.

*Q.* Why did you not produce that or get a copy of it?

*A.* That is not in my branch.

*Q.* In whose branch would that be?

*A.* In the Secretary's branch.

*Q.* Is that the Secretary of the Railway Department?

*A.* Railways and Canals.

*Q.* Who is the Secretary?

*A.* Mr. Bradley.

*Q.* What is his Christian name?

*A.* A. P. Bradley.

*Q.* Then you have not got that book here, or any copy of that?

*A.* No, but I think Mr. Trudeau has a copy of the Order-in-Council appointing Mr. Wilkinson.

*Q.* He has got some papers, and you have got others?

*A.* Yes.

*Q.* Would you just kindly get the copy of that Order-in-Council from Mr. Trudeau (Document produced.)

*Mr. BLAKE.*—Would the Commissioners allow these copies to be used in place of the originals?

*WITNESS.*—This is a certified copy by the Clerk of the Privy Council.

*Q.* Then what is your particular duty?

*A.* The account branch.

Q. Can you tell me what payments were made to Mr. Wilkinson under this recommendation which is dated the 24th August, 1882? Have you got a list of all the payments made?

A. Yes (list produced.)

The CHAIRMAN.—Q. Are these payments to Wilkinson, or to Wood and Wilkinson?

A. Wilkinson.

Mr. BLAKE.—These are all the payments made under that recommendation on this matter?

A. Yes.

Q. You have not separated them; one is \$2,211.21, and then from the 3rd August up to the 23rd May, \$1,764.90?

A. Yes, those are all the payments.

Q. Then what further employment was there up to May, 1884?

A. There was no further employment, but he was employed in two different works—they are both there together—the Trent and the Murray Canal, I think.

Q. I think this order of 7th October, 1882, is appointing him to another—(Order appointing Wilkinson and Wood as valuers on the Trent Valley Canal)—these payments you have mentioned you say represent the payments on both of these works?

A. Yes.

Q. Then was there any other employment up to May 1884?

A. No, not that I am aware of; he was not paid anything through our office.

Q. Was there any other employment of Mr. Wilkinson by the Government that you are aware of during this period?

A. No, none that I am aware of.

Q. You are sure of that?

A. I am sure of it—none that I am aware of.

Q. None, that is, through your department?

A. Yes.

Q. Are you aware, in or out of your department, of any other sums of money being paid to him?

A. No, I am not.

Q. Can you say that they were not, or is it that you do not know what has been transacted in the other departments?

A. I don't know in the other departments.

Q. In your own department, from the records, these are the only payments that are recorded?

A. Yes.

Q. Did you look through to see?

A. No, I did not examine, but I believe that there were no others.

Q. Who did look through?

A. These papers we got from Mr. Trudeau to bring up.

Q. Was it Mr. Trudeau that looked through and examined, or was it Mr. Bradley?

A. I think Mr. Trudeau had an examination made.

Q. Do you know as a matter of fact who it was that made the examination

A. Some clerks in the office.

Q. You do not know which of the clerks did make it?

A. No, I do not.

Q. Are you aware as a matter of fact whether or not Mr. Wilkinson is to-day engaged by the Government of the Dominion?

A. I am not aware. The last moneys that he received was in May last.

Q. Since May last are you aware whether?

A. No, I am not.

Q. Then, have you got a record showing any payments that were made to John Shields up to May, 1884?

A. There were no payments made to John Shields.

Q. Any payments made to a firm of which John Shields is said to have been a member?

A. Payments have been made to Manning, Macdonald and McLaren. I don't know that Mr. Shields is a partner with them; I have looked at the contract before coming and did not find his name.

Q. Did you produce a copy or do you produce a copy of the payment made to Manning, McLaren & Co.?

A. From the beginning of the contract?

Q. No, from the end of 1883 up to June, 1884?

A. Yes, there were just two payments made during that year.

Q. Was this \$78,451.58?

A. The first is \$133,000.

Q. No, the first of these that you have shown me?

A. This is the 1st November.

Q. Coming down to the 29th February, 1884, was that a payment of \$78,541.59; what it says there, award of three arbitrators, less \$34,179 placed to credit of Receiver-General?

A. Yes, for rolling stock.

Q. It does not say that. Is that \$78,451 less \$34,179, or did they receive as a matter of fact \$78,451.59 then?

A. No, it is less that amount.

Q. So that there was the sum of forty odd thousand dollars then paid directly to

them, and the balance was handed over to the credit of the Receiver-General for something in connection with their dealings?

A. Yes, with the award.

Q. So that on the 29th February, 1884, they received \$78,451.59, a portion of that being paid in cash, and the balance of \$34,179.17 placed to their credit in the Receiver-General's?

A. No, to the credit of the Receiver-General, on account of the Pacific Railway, for the hire of rolling stock.

Q. Then on the 2nd July there was paid \$100,000, and on the 14th July \$50,000, according to these accounts?

A. Yes.

Q. Had you anything to do yourself with the actual payment of either of these three sums, \$78,000, \$100,000 or \$50,000?

A. The certificate is prepared by me; a certificate is prepared stating that they are entitled to that amount, and it goes direct to the Auditor.

Q. Have you got that certificate which you prepared?

A. That is in the possession of the Auditor now.

Q. Did you ask him for it?

A. No, I did not.

Q. Who is the Auditor?

A. Mr. J. Lorn Macdougall.

Q. So that if he is subpoenaed he will have that?

A. It is in his possession.

Q. Is that the way in which the payments are made through your department; it is your duty to prepare a certificate, is it, stating that parties are entitled to moneys?

A. Yes.

Q. Then upon what fact is it that you base your certificate?

A. Upon the estimate, or the Order-in-Council, or the award.

Q. Upon the estimate of the amount of work done and the amount to be paid?

A. Yes.

Q. And then upon the award or upon the Order-in-Council?

A. Well, the Order-in-Council approving of the award.

Q. You would not act on the award itself; you must have an Order-in-Council approving of it?

A. Yes.

Q. Would you pay an account on the Order-in-Council without investigating the amount and so on?

A. Oh, no.

Q. Sure?

A. Yes, positive.



*Q.* When you receive the Order-in-Council do you investigate to see whether the Order-in-Council has been passed or should be passed?

*A.* It is only authority to pay we get by Order-in-Council.

*Q.* Have you got the Order-in-Council that was passed upon this award here?

*A.* I think Mr. Trudeau has it. (Produced.)

*Q.* This Order-in-Council then, approved on the 18th February, 1884, explains the item there of the amount deposited to the credit of the Receiver-General; there was to be a per contra on the part of the Government for the hire of rolling stock, etc.?

*A.* Yes.

*Q.* That is, the order authorizing payments up to the 29th February?

*A.* Yes.

*Q.* That was the 18th February, and you say that it was in pursuance of that that the payments of the 29th February were made?

*A.* Yes.

*Q.* Then was there an Order-in-Council for the payment of the \$100,000 and the \$50,000?

*A.* Yes, there is an Order-in-Council to accept the award—to pay the whole of it.

*Q.* That is another award, I presume?

*A.* Yes, that is another award.

*Q.* Because, according to your statement, that closes up that?

*A.* That closes that award.

*Q.* Then on account of the award of the arbitrators of 5th April, 1884, not that new award, then they were paid \$150,000, and that award was for \$395,600?

*A.* Yes.

*Q.* Then the balance of that has not yet been paid?

*A.* Not yet been paid.

*Q.* I see that you make up an estimate of all that was paid to these persons, Macdonald, Manning, McLaren & Co., and that is the whole, is it,—\$3,014,000?

*A.* Yes.

*Q.* Are any moneys paid except in the way indicated; do you not sometimes pay in your department by accountable warrants?

*A.* No; sometimes people get money on accounts.

*Q.* And then what is the process of getting money on account?

*A.* They make application for the money, and if it is approved of it is sent for payment.

*Q.* What is the process whereby that is done; a person desiring to get something on account presents it to the Department, and does that go before the Council and they pass upon it, or how is that done?

*A.* It depends; on some there is no accountable warrant given in that way: a small sum, for instance travelling expenses, they get \$200 or \$500 on account.

Q.—You say positively that no sums are paid in accountable warrants except for travelling expenses or the like?

A. No, not now; when I speak about accountable warrants, the railways running in the lower Provinces get accountable warrants for running expenses.

Q. Have you got any other papers in connection with this; you have given me the Order-in-Council, but I should like to see the requisitions and the cheques, if you have got those?

A. The cheques are all with the Auditor.

Q. The requisitions?

A. That is the estimates; I have got one.

Q. This is the form in which they are prepared?

A. That is the form.

Q. That is handed to you, this being a requisition for total of work done, \$2,785,708.30?

A. Yes.

Q. Less ten per cent. drawback retained; they do not seem to have put in any drawback there?

A. No, that is the estimate made for all the work done up to that period.

Q. Then there was no drawback?

A. No, everything was settled up.

Q. Was this the final estimate?

A. No, it is not the final estimate; it is the final estimate of all that was undisputed.

Q. Was there a demand made then equivalent to \$2,785,708.30; in this payment there was no deduction made for drawbacks?

A. No, it was a final estimate.

Q. It was a final estimate as far as there were no disputed items in it, therefore it was not a final estimate, it was a partial estimate?

A. It was looked upon as a final estimate, because there were no drawbacks retained in it.

Q. It was a fact that you did not retain any drawbacks; that in your mind might be a final estimate, but it was an estimate made and there were no drawbacks retained in this estimate; that was paid, therefore, without any drawback; there was a cheque given to answer that without any drawback?

A. Yes.

Q. I see that one of these cheques were made payable to McLaren as trustee; do you know anything about that; November 22nd, per P. McLaren, trustee, \$133,918?

A. Yes sir; previous to that date we had paid the Bank of Montreal, who held a power of attorney for Manning, McDonald & Co., but at this time Mr. McLaren was made trustee; that is the meaning of that.

Q. You had paid into the credit of the Montreal Bank for them up to the 22nd November, 1883, but then Mr. McLaren was appointed trustee?

A. Trustee at that date.

*Q.* Have you got the paper appointing Mr. McLaren trustee?

*A.* No, I have not.

*Q.* Where do you think that would be?

*A.* Mr. Trudeau may have it; I will just see. (Witness speaks to Mr. Trudeau). Mr. Trudeau has not got it.

*Q.* Do you know as a matter of fact,—and if you do not know, who will be able to tell us,—from that time onwards how the money was paid?

*A.* Oh, all the money since then has been paid to McLaren as trustee.

*Q.* He was entitled to disburse it amongst those interested?

*A.* I don't know what he did with it, but it was paid to him.

*Q.* Did you ever see that Power of Attorney, yourself?

*A.* I think I have; I think it is simply a letter asking the Department to pay the money to him.

*Q.* Was all the money paid to him after that date in November?

*A.* After that date all was paid to him.

*Q.* And he had the disbursing of it and the dealing with it?

*A.* He had all the dealing with it; they could not get the money without his cheque on the bank.

*Q.* Do you know where he resides?

*A.* Perth, I believe.

*Q.* Is he a lumber dealer?

*A.* I believe so; I don't know exactly.

The CHAIRMAN.—*Q.* That letter was a letter authorising payment to him, signed by the other partners?

*A.* Signed by the other partners.

Mr. BLAKE.—*Q.* Do you know Mr. Shields?

*A.* Yes, Mr. John Shields.

*Q.* Did you see him down at Ottawa in the month of February last?

*A.* I have seen him in Ottawa several times, but I don't recollect whether I saw him in that month, whether I saw him in February or not; I can't recollect the circumstances.

*Q.* Just try and think that over?

*A.* I had nothing to do with Mr. Shields in any way; I could not possibly recollect; I had nothing to bring it to my recollection; he had no business to do with me at all.

*Q.* You could not say whether you saw him in February or March in Ottawa?

*A.* I could not; I had no business transaction with him.

*Q.* Do you know Mr. Wilkinson?

*A.* Yes.

*Q.* Do you recollect seeing him there in February or March?

*A.* It would depend whether he got any money or not.

*Q.* Is that the only way an Ottawa man memorizes a thing—whether he paid a sum of money?

*A.* It is only to know whether he was personally there; I have seen him several times at Ottawa, but I could not say whether I saw him in February or not; I could not recollect, because I had no business with him to transact that would bring it to my mind; unless I had something to refer to I could not recollect; he may have been, personally, and got his cheque, personally.

*Q.* That is the groove in which an Ottawa man seems to run; you are the third gentleman who could not tell us unless so and so?

*A.* It is very difficult to recollect; I can't recollect whether he was there in February or March; he may have been there.

TOUSSAINT TRUDEAU, called by Mr. Blake, sworn:

*Q.* You are in the Department of Railways?

*A.* Yes.

*Q.* What is your duty there?

*A.* I am the Deputy Minister.

*Q.* And have been for some years past?

*A.* For some twenty-five years.

*Q.* You know, of course, of the employment of Mr. Wilkinson, as has been given to us by Mr. Bain?

*A.* Yes.

*Q.* Have you brought the book of records showing the period?

*A.* There would be no book of records showing Mr. Wilkinson's appointment; the fact is recorded in the Report of Council, and that is the only record we have.

*Q.* Is it that some employments that you do put in that book of records, that Mr. Bain has spoken of, or how is that, or do you think it is a misapprehension?

*A.* People who are employed continuously, but Mr. Wilkinson was appointed to act a few days only at a time; he was to be employed a few days in one month and a few days in another month; it is not continuous employment.

*Q.* And therefore that book of records is confined to the persons who got permanent employment?

*A.* Yes.

*Q.* And his not being permanent we would not find that in the book; did you examine to see whether that is so or not?

*A.* I know it; I did not examine it, but I know it.

*Q.* Therefore you would get no information from that book?

*A.* No.

*Q.* Are you aware from that period in 1882 up to the present time, 1884, whether

Mr. Wilkinson had any employment other than that of the inspecting of these two matters?

A. No other employment by the Department of Railways; I am not aware of any other employment, either.

Q. You can speak positively as to the Department of Railways?

A. I can.

Q. As to the others you cannot?

A. No.

Q. Then he had no other employment there, either temporarily or permanently, by the Department that you had control of?

A. No, sir; no other employment than these.

Q. Did he receive to your knowledge any moneys except this \$5,000 odd that he received during that period?

A. No, sir; he did not receive any other.

Q. Then I do not understand from the Order in Council whether it is that he was to be paid \$10 a day for every day?

A. For every day on duty, every day employed in executing a certain work.

Q. Because this Order in Council might be read either way; I did not know whether you read it liberally or illiberally; it is that he is to be appointed a Government valuator of land required for the construction of the Murray Canal, with the remuneration of \$10 per diem and travelling and hotel expenses for each day during the time actually engaged.

The CHAIRMAN.—Mr. Bain had a number of payments for the time employed.

Q. That is the way you pay?

A. Yes; those two men worked together, and we have no other means of checking them than asking each other to certify their accounts; each one certifies the accounts of his *confrere*.

Q. Mr. Wood certifies Mr. Wilkinson's account, and Mr. Wilkinson certifies Mr. Wood's account?

A. Yes.

Q. Then do you know whether Mr. Wood was paid as much or more than Mr. Wilkinson?

A. I cannot state that from memory.

Q. What is your memory upon it?

A. I think Mr. Wood has done a little more work.

Q. Or at all events received a little more pay?

A. Yes.

Q. When you say a little more in a department that is dealing with millions, how much do you cover by that—only thousands I suppose?

A. Oh no, it might be \$100; it is not much.



*Q.* It would have been unkind for Mr. Wood to certify for less, when Mr. Wilkinson certified for him; then had you any personal dealings with the firm of Macdonald & Co., in this work, or from the nature of your position would you be brought into contact with the contractors?

*A.* Yes sir, I would.

*Q.* Did you ever see Mr. Shields in regard to this work?

*A.* Mr. John Shields, yes sir.

*Q.* Do you recollect how often you saw him in 1884?

*A.* No sir.

*Q.* You are not going to give me the defect of Ottawa memory, that it must be a payment in order to remember a date?

*A.* There was no object in my recollection.

*Q.* You do recollect the fact of seeing him?

*A.* Yes.

*Q.* Can you tell how often you saw him?

*A.* In the winter, oh I might have seen him ten times may be.

*Q.* In the winter of 1883-4?

*A.* Yes.

*Q.* Do you recollect seeing him in February, 1884?

*A.* I have no note of that at all.

*Q.* Mental or otherwise?

*A.* No.

*Q.* Do you recollect seeing him at the time the Award was under discussion—I show you from the entries that you yourself give me that that was in February, in 1884,—do you recollect seeing him?

*A.* Yes sir, I did see him: there was nothing prominent to make me recollect.

*Q.* Was it in regard to this work and the progress of the work, and so on, that you saw him during these ten times, or was it through the fall?

*A.* Mr. Shields was taking an interest, but he is not a member of the firm: Mr. Alexander Shields is a member of the firm. Mr. John Shields was a member of the firm for a few months between March, 1879, and September, 1879; he then retired.

*Q.* You could not give us that except by looking at the papers, and if you have produced the papers, we will be glad to see them. Have you got any papers which indicated to your department what the interest of Mr. John Shields was?

*A.* Yes, sir; we have all the papers of the department, but I have not got them with me, but I state this as a fact simply.

*Q.* That is your conclusion, but it may be an incorrect conclusion; the papers themselves would speak and show us, and therefore I do not want you to speak upon that, but upon this you can speak. During those ten times, was it upon any other work than this work that Mr. John Shields saw you?

*A.* I cannot say that Mr. John Shields saw me, officially, in this way: I met him casually a great many times.

Q. Had he any other business with your department ?

A. No, sir.

Q. During these ten times or so if he saw you, whether casually or officially, it was in regard to this in which you have told us that he was taking an interest ?

A. Yes.

Q. Can you recollect whether, at the time the award was made, and the payments were being made under it in February, 1884, he was at your department, and saw you officially or unofficially ?

A. I cannot speak from memory of that.

Q. What would be the subject of the conversation between you and Mr. Shields, about this work ?

A. Yes, sir ; it would be in connection with the progress of the Commission of the Arbitrators ; it would be some general conversation of that kind.

Q. The progress of the work, perhaps ?

A. The progress of the work, may be.

Q. The progress of the payment, perhaps ?

A. Yes, sir.

Q. And those were the only matters that you know that Mr. Shields was interested in, in your department, if he were interested in those ?

A. Yes.

Q. As to these payments, does that come under your notice as Deputy ?

A. Yes.

Q. In what way does it come within your cognizance ?

A. Well, I sign the certificate on which the payment is made.

Q. You sign the certificate to whom ?

A. I may just as well describe how payments are made. The Engineer prepares a statement of measurement of work executed, and this is technically called an estimate. This estimate is ordered to be paid ; it is then sent to the accountant, who audits the arithmetic of a statement, and he prepares a certificate to the department of the Finance, that so much public money is due to a certain firm of contractors for certain work executed, and this is stated on the face of this certificate ; this is signed by myself, and is countersigned by the accountant. Then this certificate leaves the Department of Railways and Canals, and is taken to the Auditor-General, Mr. Macdougall ; and accompanying this certificate of mine is a copy of the measurement made in detail by the Engineer, so as to satisfy the Auditor that I was right in signing the certificate.

Q. That is a copy of the estimate (paper produced) ?

A. Yes ; the Auditor examines all these papers, and he signs on another piece of paper his approval of the payment, and these are then sent to the Department of Finance to Mr. Courtney, and he also examines these things, sees that there is sufficient appropriation, and he writes at the bottom of it there that the payment should be made. It then goes from Mr. Courtney's office to a sub-office in the Finance Department, and there the cheque is prepared to be handed to the Contractor. This cheque is signed by Mr. Courtney, and is also signed by the Auditor, Mr. Macdougall, and it is then presented and

given to the Contractor, so that the Contractor touches the cheque in the office of the Department of Finance.

Q. Would that be one of the estimates to which you have been referring—(Estimate produced by Mr. Bain was here shown to witness),—is that the way in which it is prepared?

A. Yes.

Q. The details of the work are not given?

A. In that particular one it is not given.

Q. Ordinarily, I understood you that it is given; there does not seem to be any particular work done there?

A. Well, the details are given, but they do not appear to be given on that one.

Q. Do you know what is meant there—that is one upon which there was a balance paid of \$133,000?

A. Yes.

Q. Then what do you mean by this—"Advanced drawbacks, \$216,189?"

A. This is a memo. by the Accountant, showing what previous payments have been made.

Q. And therefore that in this—and that was the reason, I suppose why this payment was so small, \$133,000 only—the drawbacks had been advanced to the extent of 216,189?

A. Yes.

The CHAIRMAN.—We propose to adjourn for half an hour, and as those telegraph operators have not appeared, it would be as convenient as any time to examine Sir David Macpherson.

Mr. BLAKE.—Your Lordships may examine him if you please, but I certainly shall not examine him, as I intimated, until the telegraph operators have been here and have been examined.

The CHAIRMAN.—I am exceedingly unwilling to have him detained here, if it is infringing upon his public duties.

Mr. BLAKE.—That is for the Commissioners to say.

Sir DAVID MACPHERSON.—I hope the Commissioners will examine me at two o'clock; I place myself in the hands of the Commission; I take it that the inquiry is in their hands.

Mr. BLAKE.—Oh, certainly; I am not interfering in the slightest degree, attempting to —

The CHAIRMAN.—I suppose that if we desire to have the examination of Sir David conducted, and the telegraph operators are not here at two o'clock, I suppose you will examine him.

Mr. BLAKE.—I shall not examine him; I desire to get the information from the telegraph operators on which I desire to base that examination and some other examinations, and therefore, if it is desired to have the examination, I say that it is the convenience of the telegraph service on the one side and Sir David Macpherson on the other.

The CHAIRMAN.—If it were the personal convenience of Sir David it would be somewhat different, but he says it is not his personal convenience.

Mr. BLAKE.—I want the Commission to understand that anything reasonable that can be done to convenience him I will do it, but I want the Commission to understand that I have done everything that I can to possess myself of the information that is necessary before I proceed.

The CHAIRMAN.—Sir David, in that case, may not be examined until process is exhausted against the telegraph company.

Mr. BLAKE.—It may possibly be so, and that is the reason I said to your Lordships that I could not present sufficient fact to the Court until we had given an opportunity for the train—even although it be late—to be in, and to see whether they are going to attend here to-day or not.

The CHAIRMAN.—Well, Sir David, if the telegraph operators appear at two o'clock their examination will take place, and yours will succeed. If they do not appear, I do not think we shall detain you here waiting their appearance, or waiting the process to compel their appearance.

Mr. BLAKE.—I did not know that Sir David Macpherson would return.

The CHAIRMAN.—I suppose, if they do not appear, you can attend again?

SIR DAVID MACPHERSON.—I shall place myself in their hands. If they find it necessary to examine me to-day, or if they examine the telegraph operators here to-day, if they give me notice again I shall certainly appear.

Mr. BLAKE.—Upon what date? I did not know that you proposed returning.

SIR DAVID MACPHERSON.—I will endeavor to consult the convenience of the Inquiry.

Mr. BLAKE.—We do not know whether it will be three weeks or ten days.

SIR DAVID MACPHERSON.—You will probably, after my examination, be able to see.

The CHAIRMAN.—I understand you are going to the North-West?

SIR DAVID MACPHERSON.—I will not go to the North-West provided I am required for this Inquiry, provided it is within two or three days, and I may be detained so long as not to go to the North-West at all; I cannot say.

The CHAIRMAN.—We will see at two o'clock when the telegraph messengers come.

Commission adjourned at 1.30 till 2 o'clock.

Upon resuming,

SIR DAVID L. MACPHERSON.—I shall not put Mr. Blake to any inconvenience by pressing my examination; if he will be good enough to name a day upon which I may be examined.

The CHAIRMAN.—If you remain accessible for the next two or three days you need not remain present just now. You will receive notice of your examination, and it will be sometime during this week.

SIR DAVID L. MACPHERSON.—That will be satisfactory.



The CHAIRMAN.—Have you any other witnesses ready?

Mr. BLAKE.—I did not desire to examine further until I got these telegrams!

The CHAIRMAN.—Unless we can get through this week, I do not know what time we will be able to give the Commission. Mr. Senkler and myself could give the whole week to it, but Mr. Scott is doubtful if he can.

Mr. BLAKE.—I may say that the following correspondence passed as to these witnesses from the telegraph company. (Take in Exhibit —.)

The CHAIRMAN.—That was agreed to?

Mr. BLAKE.—Nothing further passed.

The CHAIRMAN.—It is possible they may be in attendance yet.

Mr. BLAKE.—Charles H. Mackintosh was also subpoenaed for to-day. I ask that he should be called on his subpoena.

Chas. H. Mackintosh was accordingly called on his subpoena, but did not answer.

The CHAIRMAN.—If there are no witnesses for examination by half-past two we will adjourn until to-morrow.

CHARLES O. ERMATINGER appeared, and said, I received a subpoena and I should like to be called and examined.

The CHAIRMAN.—We shall be happy to hear your evidence.

Mr. BLAKE.—Mr. Ermatinger was one of those who were asked by the other side to be subpoenaed, and he has been subpoenaed accordingly, but it is not our purpose to examine him if the other side do not do so.

Mr. ERMATINGER.—I am quite prepared to give any evidence the Commission desire.

The CHAIRMAN.—Your appearance will be noted.

Mr. ERMATINGER.—There is one part of the evidence in which my name has been brought in question, and I would like to make a statement with regard to some incidents Mr. Cascaden mentioned.

The CHAIRMAN.—We will take your statement if you desire to make it.

CHARLES O. ERMATINGER, sworn—I saw a statement in Dr. Cascaden's evidence with regard to an incident which had taken place in the refreshment room of the House, and I merely wish to state what did take place, as he made some little allusion to myself which I think might be misconstrued. I did call him out at the instance of Mr. Monk, the whip of the Opposition, and we went into the refreshment room together. I sent for Mr. Monk to come into the refreshment room, as he had asked me in the previous day. While we sat down—Cascaden, Monk, and myself—when we had been sitting some little time, Bunting looked through the door and came in, apparently looking for some one, and was invited to take a seat—to come with us. We had not been sitting long when the little incident of which Cascaden speaks took place. Cascaden stated that some one suggested that some person that Bunting was connected with or had sent had spoken to him; that Bunting didn't appear to understand; they had some words over it, Cascaden suggesting that Bunting had something to do with the matter, and Bunting appeared to



be quite astonished, and they had some words and we parted. Cascaden, in his evidence suggested that I had feigned surprise. He said, as I read it in a newspaper, that I had appeared to feign surprise when Bunting came in the door. If I had that appearance, I can only say it was quite unknown to myself. I was not particularly surprised, and did not expect Bunting. I had not invited him, but I knew him and asked him to sit down. As to why Mr. Monk desired me to ask him out I do not know except what he told me himself, and I suppose that would hardly be evidence.

The CHAIRMAN.—Is that all you desire to say?

The WITNESS.—I think so, further than that I personally know nothing of any approaches made to Cascaden more than what he stated; had no idea of abetting any such approaches, and no knowledge of them in any way, nor have I any knowledge of them at present, except what I have heard of his own evidence. I was no party to anything of the kind, and would not be. I do not know that there is anything further I have to state.

By Mr. BLAKE.—Q. Mr. Bunting was so much down there that you were not surprised to see him?

A. No, he was down at the House a good deal during the session.

At 2.30 p.m. the Commission adjourned till Tuesday, at 10 o'clock.

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TUESDAY, September 2nd.

The Commission met at 10 a.m.

ALEXANDER MCKINNON BURGESS, called by Mr. Blake, and sworn.

Q. You are Deputy Minister of the Interior?

A. Yes.

Q. How long have you been there?

A. A year from the first of July last.

Q. You have been in the North-West?

A. Yes.

Q. Were you there on the business of the department?

A. Yes.

Q. Have you got a list of the officers employed by the Dominion in the North-West—in the department of the Interior?

A. I have not a list, but I know who they are.

Q. Is there such a record kept?

A. Yes.

Q. But you haven't brought it with you?

A. No.

Q. How many are employed?

A. Well, unless I were to make a list of them I could not say.

*Q.* I thought you said you could tell?

*A.* I could tell the names of all of them.

*Q.* And by adding them together you could get the number?

*A.* Yes.

*Q.* Well, adding them together, how many do you find there are?

*A.* In round figures there are sixty or seventy, exclusive of surveyors?

*Q.* During your journey in the North-West did you see John A. Wilkinson?

*A.* I did.

*Q.* Where did you see him?

*A.* I happened to be a passenger by the same train with Mr. Wilkinson from Toronto to Owen Sound.

*Q.* What date was that?

*A.* I could not say; about the 6th or 7th of June.

*Q.* What distance did you go with him?

*A.* I was also in the same boat from Owen Sound to Port Arthur.

*Q.* Any further?

*A.* I believe he went on the same train, although I do not know of my own knowledge, except that I saw Wilkinson on my arrival.

*Q.* Did you see him subsequently?

*A.* Yes, at Calgary.

*Q.* How long after that?

*A.* About a fortnight.

*Q.* About the middle of June or thereabout?

*A.* Yes.

*Q.* Did you see him subsequently to that?

*A.* No; well yes, I saw him subsequently on the platform of the railway station at Winnipeg; I was in a railway carriage and he was on the platform.

*Q.* At a subsequent date?

*A.* Yes, about the first week or the first fortnight of July.

*Q.* Did you see him subsequently to that?

*A.* No.

*Q.* Do you know where he is?

*A.* I have no idea.

*Q.* Do you know what his occupation is—what business he was upon?

*A.* I do not.

*Q.* He did not tell you?

*A.* No.

Q. Are you aware, as a matter of fact, whether he is or is not engaged in any way in the department of which you are deputy?

A. I think I may say I am quite sure he is not.

Q. Why are you doubtful?

A. I am not.

Q. You said, "I think?"

A. There is no doubt in my mind.

Q. He has not any Registrarship up there?

A. No.

Q. Was he at any time employed in your department?

A. No.

Q. Any talk of his being employed?

A. Yes, there was at one time.

Q. With whom was he to be employed?

A. There was a talk of his being employed.

Q. With whom. In assisting whom in work in the North West?

A. Not in assisting anybody.

Q. What branch of the department?

A. In one of the Registrarships in one of the Districts.

Q. Which one?

A. Edmonton.

Q. About when was it that it was talked about?

A. A little more than a year ago.

Q. Has that office been filled?

A. No.

Q. What position has H. H. Smith, of Peterboro', in your Department?

A. Inspector of Dominion Lands Agencies and member of the Land Board.

Q. Was there any talk of his assisting Mr. Smith in his work up there?

A. No.

Q. What is the office of Mr. Rufus Stephenson?

A. Inspector of Colonization Companies.

Q. Was there any talk of his assisting him?

A. No.

Q. The only one you are aware of would be the one you have mentioned, the Registrarship at Edmonton

A. Yes.

Q. In regard to the appointment of persons in the Department in which you are Deputy, what is generally the mode of their appointment?

A. They are generally appointed by Order-in-Council the same as others.

Q. Where does that generally initiate?

A. I generally draft the memorandum to Council.

Q. With whom is the arrangement of the appointment made? Did you for instance arrange the appointment of these two gentlemen you have mentioned, Mr. Stephenson and Mr. Smith; or, if not, do you know with whom the arrangement was made?

A. Well, I do not know exactly what you mean by asking how it was arranged. The Minister's instructions were given to me to have the necessary memorandum for Council prepared.

Q. So it didn't initiate with you, but with somebody else, and instructions were given you to carry it out?

A. Yes.

Q. So there might have been some discussion about the appointment of Wilkinson to office which you as Deputy would not be aware of?

A. There might be, but I do not think it probable—I ought to say that; the usual thing for the Minister to do is to discuss with me—in fact, I usually suggest to him the necessity for the appointment of certain officers.

Q. Certainly; but as to the names of the persons, that is a different matter!

A. Yes.

Q. You suggest the necessity for the office, but it is from some person else that the name of the person to fill it comes and not from you?

A. Yes.

Q. You cannot tell me now where Wilkinson is?

A. No.

Q. How long have you returned from the North-West?

A. I arrived in Ottawa the second week in July; I do not remember the day.

Q. Did you see Mr. Stimson up there?

A. Yes.

Q. Where?

A. At Calgary.

Q. Did he go up with you at the same time?

A. No, he was at Calgary while I was there.

Q. Had he preceded you?

A. His Stock Range is in that neighbourhood.

Q. Yes; but had he preceded you in going to the North-West on this occasion; had he gone before the 6th of June?

A. He must have been there before me.

Q. What distance from Calgary is his range?

A. About forty miles.

Q. In which direction?

A. In a southerly direction.

Q. Is Calgary the nearest post office or place to it?

A. Well, not the nearest post office, but the nearest place of any consequence.

Q. Was he engaged in his business as a rancher?

A. Yes.

Q. Did you see him subsequently?

A. Yes.

Q. Did you see him in June?

A. Yes.

Q. You do not know now where he is?

A. No.

Hon ALEXANDER MORRIS.—I request the opportunity, in the first instance, of suggesting to the consideration of the Commission the putting of a question which I think might tend to the promotion of justice in this case. I ask whether I may be permitted to suggest such a question. I am the representative of East Toronto in the Legislative Assembly.

The CHAIRMAN.—What is the question?

Mr. MORRIS.—It has been stated by the witness that there had been talk of the appointment of Mr. Wilkinson to a registrarship in the North-West; I desire to ask him when he first heard of the probability of his appointment to that office and from whom he heard it?

A. It was more than a year ago; it must have been, I think, about the end of May or the beginning of June; the matter was of so little consequence that I cannot be sure of the date, but I think that was it. That was May or June, 1883.

Q. From whom?

A. From Sir John Macdonald.

Q. He was then Minister of the Interior?

A. Yes.

Q. And what did he state at that time?

A. He stated to me, or at least he requested me to remind Sir David Macpherson on his return from England that he was desirous that Mr. Wilkinson should be appointed to a registrarship in the North-West.

JOHN LORN MACDOUGALL, called by Mr. Blake, and sworn.

Q. What is your position?

A. I am Auditor-General for the Dominion.



Q. And what is your office in regard to the payment out of moneys?

A. There are two ways in which payments are made. One is by a direct cheque on the Receiver-General, and the other is under letters of credit; when a cheque of the Receiver-General is given, the Deputy-Minister of Finance signs the cheque and I countersign it, so that the payment is correct payment--that it is due to the person in whose favour the cheque was made. But in the other case a credit is given either to the Department which is to expend the money or to an individual who may be at a distance from Ottawa or may have to spend for the Government, and after the cheques are given on the credits, usually at the end of each month, and always so in the case of a department, a statement of the cheques drawn against the credits is sent to me, as in the former case, and the cheque of the Receiver-General is made out exactly as if a direct payment was made in the first instance, and I countersign it.

Q. Under the letter of credit system the payments are made by what means?

A. A cheque is drawn by the deputy of the department and countersigned by the accountant usually; at any rate by some person in the department.

Q. So payments could be made to a large extent without the signature of the Auditor-General under the letter of credit system?

A. Yes, and afterwards a statement comes in, and what is done in the first instance to repay the bank is to add up the cheques and repay the bank, so that no detention may take place in restoring the money to the bank that has been advanced, and subsequently a statement of all the vouchers, with the vouchers, is sent to me; I examine the vouchers, with the statement, and see that the payments were justified.

Q. In this contract—the Manning-Macdonald contract—have you got the cheques which were given?

A. No, the cheques were the property of the Finance Department; they were left for Mr. Courtney, who I understood was subpoenaed, as they were more directly his property.

Q. That is the way you had in working it out, the cheques going back to the Finance Department?

A. They are sent from the bank to the Finance Department and retained or sent to me; under a recent regulation of the Treasury Board it is my duty to examine the bank account; that is only a recent regulation, and the cheques are sent in from the Finance Department to me just as I ask to have them sent to me.

Q. Therefore you haven't got the cheques?

A. No.

Q. Have you anything in connection with these payments?

A. Yes. I have the requisitions from the Department of Railways and Canals and the engineer's estimate sent me.

Q. Will you show me the requisitions, please?

A. I suppose these will be returned.

Q. Yes. These are the originals, are they?

A. Yes. (Papers produced.)

Q. The first is an Order-in-Council which we had yesterday from Mr. Trudeau; this one is the certificate of the department?

A. Yes.

*Q.* Then the only office of the Auditor-General would be to see that so far as the additions are concerned they are right, or is there anything further?

*A.* I am obliged to see that the certificate of the proper engineer is on it when they are paid under engineers' estimates; in one case there was an award, and of course that was made authority in that case.

*Q.* And these cheques will be with Mr. Courtney?

*A.* Yes, though they represent exactly those sums.

*Q.* Is that all the information you can give to us?

*A.* Yes.

*Q.* They were payable as here to Peter MacLaren, trustee?

*A.* Yes.

*Q.* He was one of the members of the firm?

*A.* Yes.

By the CHAIRMAN.—*Q.* Were these cheques paid in 1883?

*A.* Yes. I think on the 22nd November there was a payment of \$134,000.

By Mr. BLAKE.—*Q.* Do you recollect anything about that payment in November 1883; they could not give us any of the particulars of the materials?

*A.* The materials would be there.

*Q.* That (indicating) would be the particulars?

*A.* Yes.

*Q.* Well, then, how do you explain "ten per cent. drawback retained"?

*A.* Well, under the contracts there is a certain proportion, usually ten per cent., that may be retained by the Government; but as the work progresses, the ten per cent., or a portion of it, is handed over.

*Q.* But in this case they didn't?

*A.* Yes; I think that was a final estimate.

*Q.* There were some matters left open to be settled by the award?

*A.* Yes; of course they owed something for the use of rolling stock, and then they had a counter claim that more than covered the rolling stock by the admission of the department.

*Q.* So at all events it was thought safe to pay that after the deduction of the ten per cent.?

*A.* Yes, as you will see that \$34,000 turned out to be the amount due by the contractors to the Government, and I think the decision of the Arbitrators was that \$78,000 was due to them, and the \$34,000 was deducted.

*Q.* So your explanation is that it was considered safe to pay it after the deduction?

*A.* Yes.

*Q.* Do you know of any payments made to that firm, or to Mr. Shields, excepting those indicated?

*A.* I know of nothing except the return of \$35,000 of money deposited by Shields and Macdonald in the Indian Department.

Q. When was that?

A. I think I have the papers here. The money was deposited on the 27th of August, and returned on the 28th of December.

Q. What was the occasion of the deposit of the moneys?

A. Well, the return is made to the Federal Bank, with the explanation there that it was deposited as a guarantee for the working of certain timber limits.

Q. "\$35,000 refund of amount deposited as security for the proper working of timber limit, Lake of the Woods District?"

A. Yes. There is a deposit made on the 27th of August, and this refund of money was done under a letter of credit cheque.

Q. That was from Shields and Macdonald; deposited on the 27th of August and paid the 28th of December, 1883, \$35,000?

A. Yes.

Q. Were you aware of any further payments?

A. Nothing else.

Q. Are you aware of any payments being made to Mr. Wilkinson other than those indicated by Mr. Trudeau and Mr. Bain?

A. I have no recollection except payments which were made to him as valuator on the Murray and Trent canals. I do recollect of a small payment in the Department of Agriculture for expenses, but that was not in 1883-4, I think, and I cannot now tell the amount.

Q. It was an earlier payment than in 1883-4?

A. Yes, I have no recollection of any others. Of course payments might be made without my recollecting them now.

MR. BLAKE.—Since an adjournment attempts were made to procure the attendance of Mr. Wilkinson and Mr. Stimson, and I desire to present to the Commission what in the meantime had been done. (Affidavits of Mr. William Johnston, Exhibit , and of Mr. Isaac Campbell, Exhibit , were here read, also Exhibits ). So that what could be done was done in the way of notifying these two gentlemen, but they are not here. Now, it is for the Commissioners to say whether they desire the matter to remain longer open in order that further attempts may be made to procure the attendance of these gentlemen or not. The Commissioners are also aware that yesterday an order was made peremptorily for the attendance of the telegraph operators, the Solicitor desiring them to attend to-morrow, but your Lordships thinking it was unreasonable to ask them to attend earlier than Thursday next, they are still to be examined. The branch of the case as to which I chiefly desire to examine them, and I deem it my duty to mention that in order that the Commissioners may consider it in connection with the other, is not so much to bring the matter home to the five who are charged especially in the Commission as to carry it further. Now, I do not know whether the Commissioners consider that under the Commission they would have the right or the power to go beyond the matter of investigating what is done by these five persons. If the Commissioners come to the conclusion that that is so, I do not desire to extend or delay further the Commission for the purpose of examining these operators, and the further evidence upon that—it can scarcely be called—branch of the case, but it may be termed that branch of the matter before the Commission. If the Commissioners consider it is not absolutely necessary to go on further attempting to procure the attendance of Wilkinson and Stimson, and I cannot say that there is any more probability to-day of our having them here than when the Commission opened; I cannot hold out any hope to the Commission on that point; I say

if the Commissioners consider that the Commission should be closed without their examination, it is for them to decide whether they would cause an adjournment until next Thursday for the purpose of examining the telegraph operators, and for the taking of further evidence.

The CHAIRMAN.—Are there no other witnesses to examine?

Mr. BLAKE.—Not at present.

The CHAIRMAN.—I see you have given notice of several others, Mr. Courtney, Mr. Page, and others.

Mr. BLAKE.—The Commissioners are aware that a witness stated that Mr. Page was engaged in Cornwall upon an investigation, and that it would be impossible for him to be here. So far as Mr. Courtney is concerned, Mr. Macdougall and Mr. Bain have given us the information he would give, the only thing being the cheques.

Mr. MEREDITH.—I submit that it would be very undesirable, and not at all in the interest of the public, that this inquiry should stop where it is, as has been suggested by the learned counsel. The terms of the statement made by Mr. Mowat, the Premier, on the floor of the House upon which the matter was referred to the Committee on Privileges and Elections—upon which the motion for that purpose was made, indicated that charges were made affecting persons other than those specifically named in the statement of Mr. Mowat. Now these charges have been made in the public press and elsewhere, and it seems to me it would not be fair to those who are supposed to be incriminated, or satisfactory to the public if the investigation does not proceed as far as it is possible for the gentlemen prosecuting it to push it. Now, speaking for myself, I desire that the investigation shall proceed as far as these gentlemen think it possibly can proceed, and I hope the Commissioners will allow every latitude for the purpose of making the fullest and most searching inquiry into the matter in every direction.

Hon. ALEXANDER MORRIS.—If I would not be considered obtrusive in the capacity which I ventured to assume a few minutes ago, I would like to make a suggestion; and in doing so I trust the Commission will understand the respect I have for the judicial office which they fill, and the fact that the mind of the House—of the whole House on both sides—was that the way to obtain a thorough, searching, full, impartial investigation into the very grave matters affecting the honour of the Assembly and of our country which are now before this tribunal was to place it in the hands of the judges of the land. I simply rise to make a suggestion, and one of very considerable importance. There are two references to the Commissioners, as will be found on referring to the Commission. The Commission to the Commissioners referred not only the investigation of the charges set forth in the statement made by the Hon. Mr. Mowat on the floor of the House, but “all matters and things which in the judgment of the Commissioners relate thereto or affect the same, such Commission to be directed to three Commissioners, who shall be Judges.” That was the action taken, and the Commission are thereby clothed with power to deal with all matters connected with or related to the special charges. Now, in the statement of the Attorney-General, there is this statement as to a circumstance which is a matter of very grave importance. The statement is that “divers members of this House so approached being indignant at the criminal conduct proposed to them, have deemed it to be the fitting course on their part and a duty to their constituents and the public, acting herein with the advice and approval of the members of the Government to seek for a time to entertain such approaches in order to the detection, exposure and punishment of the persons guilty of making such corrupt attempts.” There is the direct statement that the members of the Government had a knowledge of these intrigues which were going on, and that the men connected with it were so dealing with the direct knowledge and sanction of the Government, and with the advice of the Government. And in the evidence taken before the Committee on Privileges and Elections, it was sworn that



one of the witnesses, McKim, was acting under the advice of three members of the Government; and Mr. Fraser made a declaration on his honour as a member of the Legislature that he assumed the entire responsibility for the action of these men. Now, my Lord, and your Honours, under the Act which enables the Assembly to deal with this question—and I rejoice that there is such an Act, because if anything is to be sought it is to maintain the escutcheon of the Assembly—in the Act dealing with this question there are two offences to be dealt with. The offering a bribe is made punishable, and in the second place the completion of the bribe is also an offence to be dealt with by the House. Now, in the first place, it is of evidence before the Assembly's Committee that offers to bribe came within the knowledge of the members of the Government. I say that at that moment they should have stepped in to punish that first offence—they should have checked it in the bud.

The CHAIRMAN.—There seems to be no necessity for taking any evidence to show that these matters were under the knowledge of the Government, for as you say, Mr. Fraser acknowledges that. The question of the propriety of that course is rather a question of ethics than one for inquiry here.

Mr. MORRIS.—I submit to the Commission that the matter goes further. I say that the facts connected with it have not been brought out. It has not been ascertained at what particular time the members of the Government received these communications.

The CHAIRMAN.—As we stated at the opening, we are perfectly willing to inquire into any charges formulated against the Government or any member of the Government, but no such charges have yet been presented.

Mr. MORRIS.—I contend that these are referred to by the terms of the Commission.

The CHAIRMAN.—Supposing it is so, we do not assume the responsibility of summoning witnesses. We give notice that we will receive evidence, but it is for the parties interested in the inquiry to bring forward the evidence.

Mr. MORRIS.—There have been two very important Commissions in this country appointed by the Dominion Parliament in connection with matters of this kind, but of very much graver importance—matters of deep importance to the whole country, and in these the Commissioners themselves had witnesses summoned, and they received the assistance of members of Parliament. I would like, with all deference to the Court, to point out that the Assembly by their action grafted upon the Act with regard to public inquiries, the right to this Commission to deal with the matters now before them, but they went further. They provide that the testimony taken here should have the same effect as if it had been taken at the bar of the House of Assembly. At the bar of the House of Assembly when a case is brought before it, if the Assembly directs that Counsel are permitted to appear, they appear. Questions are asked by the members through the Speaker, in order to elicit the full evidence, and every member has a right to put any question he pleases through the Speaker to the persons at the bar. This Commission is substantially for that purpose, and the evidence taken before it has the same effect as evidence so taken. I defer to the opinion of the Commission, but I respectfully submit that the Commissioners have larger duties than they seem to think devolving upon them, and with all respect I would like to refer to the very terms of the Act which was the creation of the Assembly. Now, that Act, which is to be found in the Revised Statutes, is to this effect: "Whenever the Lieutenant-Governor in Council deems it expedient, the Lieutenant-Governor may, etc., and the Commission may require them to give evidence on oath, etc., and to produce such documents and things as the said Commissioners deem requisite to the full investigation of the matters into which they are appointed to examine." It was with that Act before us with the full belief that the Judges would deal with this matter in their own hands that they might be assisted by Counsel that the whole Assembly unanimously desired that this matter should be sifted to the bottom. They did not look



to Counsel representing interests which were not interests of the whole House. I do not make the slightest suggestion with regard to these charges of criminality, but I appear on behalf of the Legislative Assembly, as one of its members, to whom your report will eventually go, and I submit with the greatest deference that the Commission have responsibilities in this matter, and have the right to decide how far the inquiry shall go and when it shall stop. There are gentlemen who are here at the greatest inconvenience. I look round the room and I see a number who were subpoenaed to appear before the Court, and I trust the Commission will not adopt the suggestion to terminate the matter here and now, but will proceed to summon honourable gentlemen who, at great sacrifice to the public interest, had been waiting here and who ask to be heard. I hope the Commissioners will allow these and other gentlemen to come before them and state what they know about this matter, and will not allow it to terminate at the suggestion of the gentleman who is acting on behalf of the Government, but not on behalf of the Legislature.

Sir DAVID L. MACPHERSON.—Did I understand Mr. Blake to suggest that the evidence should be closed without examining me? Surely, he did not make such a preposul. It will be remembered by the Commissioners that Mr. Blake asked for an adjournment of the Commission, mainly because of my absence from the country. He did not go so far as some of his friends and the press of his party, in saying that I had absented myself for the purpose of avoiding a subpoena, but he said my evidence was very important and he could not proceed with the inquiry without it. Now, I have returned to the country, I was subpoenaed and I attended, and instead of examining me yesterday he said that before doing so he must examine some telegraph operators, to fish for some material on which to examine me. There was a letter of mine which Mr. Blake was anxious to have identified. He examined my colleagues as to my handwriting, and he put my book-keeper into the box and made inquiries of him. Am I not to be examined, to say whether or not it is my handwriting? I have no doubt it is, but at any rate it is in the possession of the Commission. Mr. Blake's friends and the press, and I probably would not be going too far if I should say the Premier of the Province, put, or attempted to put, a distorted interpretation upon that letter. No one acquainted with the English language, and acquainted with the customs of public life, could have any doubt about the meaning of that letter, that it is an announcement from me as Minister of the Interior to Mr. Wilkinson that I would recommend him for the office of Registrar at Edmonton. That was the object of that letter and that alone, and no one can be in any doubt about it. Am I not to be examined touching that? It is said, and it was charged that through that letter from me, the Dominion Government was connected with this matter. Am I not to have the opportunity of clearing myself and the Dominion Government? It would be an unheard of proceeding to close the evidence without examining me? The Premier of the Province, on the first occasion on which he brought the matter before the Legislative Assembly, referred to me in these words: "I will mention the names of the conspirators as far as we know, and as far as we have evidence to prove from the actual facts which have come into our possession; and whilst we have only just received real evidence to prove that money has been paid, in addition to this, promises of still larger sums have been made to some members for the same corrupt purpose. Offices have been promised likewise, and the conspirators declare that in offering the offices for this purpose in connection with the Dominion Government, they have the sanction and the authority of the Minister of the Interior to do so." Am I not to have the opportunity of declaring on oath, as I declare now in your presence, that this is an unqualified falsehood? Then again, when the Premier of the Province was making a formal statement to the House, and proposing that the inquiry should be referred to a Committee of the House of Assembly, he said: "That to secure the same corrupt object, the said Wilkinson and Bunting further offered and undertook that the said McKim should be appointed Registrar at Edmonton in the North-West, with a salary of \$1,000 a year, and both the said Wilkinson and the said Bunting assured the said McKim that the Dominion Minister of the Interior had pledged to them his word that their said promise of the said office would be carried out, and the said Bunting on his part pledged his word to the same effect." That is another unqualified untruth, and I desire to have the opportunity of stating that

on oath. He further states "that the said Wilkinson undertook that the said Balfour should be appointed by the Dominion Government to the Registrarship at Regina in the North-West." I can only say that if such an appointment had been applied for on behalf of Mr. Balfour or for his benefit, the application would naturally have come to me as Minister of the Interior. No such application was made. There is not a tittle of foundation in truth for the statement, and your Lordships will pardon me if under the provocation which I have received and the injustice which would now be extended to me by the representations of these parties, while I declare this statement to be an unqualified falsehood; and I also say that I believe that the Premier of the Province, the Attorney-General, knew at the time he made them that they were unqualified falsehoods.

Mr. BLAKE.—The Commissioners will allow me to say a word. As to the scope of the Commission, Mr. Morris is mistaken in saying that in the Commission there is anything whatever said about members of the Opposition or leaders of the Opposition having to do with the matter at all.

Mr. MORRIS.—I did not make such a statement.

Mr. BLAKE.—What statement did you make in connection with it?

Mr. MORRIS.—I spoke as to the reference to the members of the Dominion Government. I also took the position that the scope of the Commission covers not only the formal statement of the Attorney-General, but all matters connected with or in any wise relating to that statement.

Mr. BLAKE.—Very well. The Commission simply refers to Messrs. Wilkinson, Meek, Kirkland, Bunting, and no other persons. That is the Commission under which we are acting, and it simply says that these persons have done something, and then it proceeds to say that the Commissioners are to inquire into and investigate the charges of bribery and conspiracy aforesaid, and any attempts to corrupt members of the said Assembly, and all matters and things which in their judgment relate thereto and affect the same. Now, the first day the Commission sat, instead of desiring to close out anything that might be taken under the Commission, the Commissioners then said that if there were any charges other than those formulated by the Attorney-General and mentioned in the Commission, they were perfectly willing to hear them and to hear evidence upon them, and they asked that they should be formulated in order that they might enter into them. So there can be no misapprehension as to the fact that from that time to the present the Commission were prepared to hear any charge that might fairly be brought under this Commission, instead of their having the slightest desire to exclude anything of the kind. I also further call the attention of the Commissioners to the fact that Mr. Meek being represented, and Mr. Kirkland being represented, instead of subpoenaing simply some persons who might present a portion of the matter before the Commissioners, there were subpoenaed all the leading members of the Opposition, every person that was suggested or chose to attend here, and at the expense of the Commission they were in attendance. I did put into the box some seven or eight of the leading members of the Opposition, and I asked the Commissioners and those who were present whether they desired to have any further examination of any persons as to these points. The Commissioners asked whether they desired a further examination, and after hearing the seven or eight who were put in the box, and there being no response, I discontinued examining any more of these members, the Commissioners not deeming that it was essential to do so, and no person asking that they should be examined.

Mr. MEREDITH.—My learned friend must remember that there was an adjournment for the express purpose of allowing four to be examined, and they have not been examined at all.

Mr. BLAKE.—If they desired to be present.

Mr. MEREDITH.—Not at all.

Mr. BLAKE.—Of these four, only Mr. Ermatinger was in attendance here yesterday.

Mr. MEREDITH.—I hope my learned friend does not intend to be unfair; he should know, and Mr. Johnston does know that it was specially arranged that I should be here to-day.

Mr. BLAKE.—I am not seeking to be unfair, but what I state is, and it is the truth, that the only person present yesterday of these gentlemen was Mr. Ermatinger. If these other gentlemen desire to present themselves for examination, no doubt the Commission will hear them as they did Mr. Ermatinger; I am not aware that there is any attempt to close the Commission; there is certainly none on my part, even if it should be desired to examine every person in this room; I simply state that as I had examined seven or eight members of the Opposition, I did not feel that there was any necessity of going further into any of these matters; and I suggested as to whether, under the Commission, without further charges being formulated, the Commissioners felt they had the power after their ruling on the first day of going into these other matters. I cannot control, nor do I desire to control the inquiry, and I am sure I have exhibited an anxiety as far as I could to go to the bottom of this matter; I asked for an adjournment in order that we might have Wilkinson and Stimson in attendance; we have done everything we could to get at the bottom of the matter; but what I suggested was this: that in regard to the matter which is presented to this Commission, I had no further evidence to give, excepting the evidence of Wilkinson and Stimson—that is no direct evidence—and the telegraph operators; that the further evidence had a bearing upon another branch of the matter; and what I ask the Commissioners to find is, whether, without any further charge being formulated, they would go into these other matters; as to the question whether the members of the Ontario Government were made aware of these attempts, as the Commissioners have stated, there is on charge presented, but the Commissioners will also remember that each of the witnesses was examined upon that point and has given evidence upon it; if it is at all material it is shown that Messrs. Fraser, Hardy and Pardee at an early period were acquainted with these attempts, and by one of the witnesses, the Attorney-General was informed; as to the insinuation of Sir David Macpherson, I would have thought that his position might have protected me from the remark that I was trying to examine the witnesses or was fishing for evidence to make a case against him; I should have thought that I was warranted in supposing that he knew sufficient of the mode in which these inquiries are conducted to know that there is a sequence in the evidence, and it is for Counsel to say whether they shall conduct their case in the way of that sequence; I am of course at liberty to call such witnesses as I think may be necessary to establish one branch of the inquiry, and it was merely in that view that I desired the presence of these operators; but I do not feel now that I would be justified in delaying the examination unless the Commissioners think it would be reasonable to have a postponement so as to get also the evidence of Wilkinson and Stimson: I am here for the purpose of carrying out the inquiry to the fullest, so far as the Commissioners think fit to entrust me to do so, and I never suggested that the Commission should be closed; I simply suggested that so far as I was concerned, unless they ruled that the other branch of the inquiry was to be gone into, I did not feel that I would be justified in keeping the Commission, but if there are persons here who desire to give evidence, there is nothing to prevent it.

Mr. MORRIS.—Mr. Blake was wrong in endeavoring to convict me of inaccuracy. He says that the scope of the Commission was limited to the four persons named. Now, the Commission recites the whole of the formal statement.

Mr. BLAKE.—The Commission is in the hands of the Commissioners.

Mr. MORRIS.—I am aware of that. It recites the whole action of the Assembly, and then what does it refer to the Commission: "to inquire into and investigate the charges of bribery and conspiracy aforesaid, and any attempts to corrupt the members of the said Assembly, and all matters and things which in your judgment relate thereto or affect the same." Now, I ask, are these matters and things material in this case?



Mr. CHARLES H. MACKINTOSH.—I find in a Toronto paper this morning in a report of the evidence the following: "Mr. Blake now asked that Charles H. Mackintosh be called on his subpoena, and on his being called there was no response." I was subpoenaed on Saturday last, I think by Mr. Rogers. I told him I had a very important engagement on Monday, but that I would consult my lawyer, and if it was necessary would leave on Sunday night and be here on Monday. My lawyer telegraphed Mr. Johnston, and he informed me that Mr. Johnston stated that I could be here on Tuesday at ten o'clock, and yet I find that my name was called in this way on Monday. I meant no want of respect to the Court. As I am here to give my evidence I would like to be examined, as I want to return to my business.

Mr. CARNEGIE.—I also desire to be examined. I have been charged, not formally, but in some of the papers supporting the Mowat Government, with being cognisant with all the matters connected with this affair; and down in Lennox it was stated that the conspiracy was hatched in the Opposition caucus. I wish to be examined.

JOHN SHIELDS.—Last time the Court sat I had occasion to go to Winnipeg. I called on Mr. Johnston, but he was not in, and my solicitor called and made arrangement. They gave me eight days to go to Winnipeg to attend to some law matters before the Court. I came back within the time, and found that this Court had adjourned. I am here now and staying here at great inconvenience.

Mr. JOHNSTON.—Though Mr. Mackintosh's name was called, no process was ordered yesterday, as we knew he would be here.

Two other gentlemen arose in the court-room and stated that they had been subpoenaed, and desired to be examined.

Mr. DAVID CREIGHTON.—I represent North Grey in the Assembly, and I have been subpoenaed to give evidence. Since the last adjournment I have received a letter from Mr. Johnston, who signs himself as Solicitor for the Crown, asking me to be present again. I was present here before the adjournment of the Court, and was seen by Mr. Johnston. My name has been mentioned in the course of the evidence, and I desire to have the privilege of giving evidence before the Commission closes.

Mr. MEREDITH.—I should assume that the Commissioners would not prevent anybody whose name has been mentioned from going into the box and making any statement he chooses. I desire to take that course, and I assume that there will be no objection.

The CHAIRMAN.—With regard to the suggestion made by Mr. Blake, the Commissioners think it is not incumbent on them or proper for them to say how far the evidence should go, and that the responsibility of prosecuting his case must rest with Mr. Blake himself. The Commissioners, however, do not think that the Commission imposes on them the duty of hunting up evidence or seeking witnesses. They are here to hear evidence. They have given public notice—as public as could be given—to any persons who desire to give evidence, that they will be heard, and I do not think they can go further. As to all these gentlemen who have been subpoenaed and are present here, the Commission are perfectly ready to hear their evidence. We did not think it proper while the Counsel for the Crown was going on with his evidence—we did not think it incumbent on us or proper, or within our power to indicate to him in what order he should call his witnesses, or what witnesses he should call. But as soon as Counsel for the Crown has closed his evidence then, any person who desires to give evidence can do so. Sir David Macpherson will not be excluded from giving his evidence; though I cannot but express my surprise and my regret that in closing his address he should have made such a charge as he did make against the Premier of the Province. No gentleman, I think, should have made such a charge against another.

Sir DAVID L. MACPHERSON.—I do not think the Premier of the Province should have made the charge he made against me in my absence, and without communicating with me.

The CHAIRMAN.—Any person who chooses to go into the box will be heard to any extent in explaining evidence in regard to themselves. If it is intended to make a formal charge against the members of the Government, these charges must be formulated in the first instance. We do not think it would be proper to allow a rambling sort of evidence to be given without applying it to any formal charge. Mr. Blake may say whether he is prepared to go on with any further evidence in the meantime, and if not, any person now present can be examined. That offer was made some time ago to the counsel for Mr. Kirkland, but he declined to give evidence until the whole case for the Crown had been closed, and I was under the impression that the other gentlemen charged had been acting in that view. They may perhaps, however, be taking a different view now.

Mr. BLAKE.—The process of the Commission has issued against the telegraph operators. If the Commissioners limit the inquiry in a way in which, as I understand it is intended to limit it—that is, without further charges being made than those in the Commission, as to what these men have done, then I do not desire to postpone for the purpose of having these operators examined; but if it is to be wider than that, then I desire to have the opportunity of offering further evidence.

The CHAIRMAN.—We have decided that before evidence can be given on any new charges, they must be formulated.

Mr. BLAKE.—Certainly; at some time or other these charges must be formulated, and it would be unfair to go into them on the ground that hereafter they might be formulated.

Mr. MEREDITH.—I understand that the Commission was limited in the absence of formal charges to the persons named.

The CHAIRMAN.—We understand that there are formal charges made against these persons, and if there are any other persons implicated on either side, the charges must be made.

Mr. MEREDITH.—The course which the proceedings have taken has been that the evidence of any parties whose names have been introduced in connection with these transactions would be taken, but certainly this could not be permitted if the scope is limited in that way. I would like to understand the statement made on the floor of the House—the understanding upon which the House assented to the sending of the case to a Commission was that there should be a full inquiry.

The CHAIRMAN.—The inquiry is not limited; you can make it as wide as you please.

Mr. MEREDITH.—Surely there have been charges made, for instance, against the Dominion Government. They have been charged, and the particular member of the Government, who is named there, has not been examined. There is an insinuation, at all events, if not a direct charge, that the officers of the Dominion Government have been trafficking for the purpose of defeating the Mowat Administration. Surely that is part of the matter to be investigated here. It seems extraordinary that it should be necessary to formulate a charge in order that that should be investigated.

The CHAIRMAN.—It requires no formulation of a charge to enable Sir David Macpherson to deny a statement made against him.

Mr. MEREDITH.—But is it fair that these insinuations should be made, and that the parties making them should not have the courage to formulate them as charges?



The CHAIRMAN.—As I say, Sir David Macpherson can have the opportunity of denying it; but if it is intended to make any charges against persons not named, I think they should be formulated, instead of leaving the investigation to run at large.

Mr. MEREDITH.—With regard to that branch of the matter it seems to me that there is in the Statement of the Attorney-General, and in the Commission itself, sufficient foundation for making that inquiry. It may be a matter of ethics, but I think no more serious charge could be made against the members of the Government than that of knowing of an attempt to corrupt the Legislature.

The CHAIRMAN.—But you don't require to have evidence on that point.

Mr. MEREDITH.—But it ought to go further—not only permitted it to go on, but advised and encouraged it to go on, and endeavour to entrap persons not named here to go into these acts. I do not think a graver charge could be made; and the idea of the Opposition, when the scope of the Commission was enlarged by the addition of the words referred to by Mr. Mowat, was that there should be an investigation into that, and I think the public will expect that there shall be such an investigation.

The CHAIRMAN.—Can you give any further evidence to establish the knowledge of the Government?

Mr. MEREDITH.—It is more than that. The Government say they knew, but I think it is important that all the circumstances should come out to show how far they endeavoured by means of the men they were using to entrap members of the House and members of the Conservative party into acts in contempt of Parliament. I think this is a most important matter, and I feel that I am entitled to ask that the Commissioners will postpone the inquiry in order that the members of the Government may be examined, and that we may get from their mouths a full statement of the whole transaction.

Mr. BLAKE.—I call attention once more to what the terms of the Commission are. If the Commission think they have power to go into these other matters, I presume the next point for them to consider will be how these are to be presented. At the present moment there is no charge made in the Commission as to the leader of the Opposition taking any part in this matter; no charge against the Government; but simply that the five men, Bunting, Wilkinson, Meek, Kirkland and Lynch, entered into a conspiracy to accomplish the defeat of the Government. It then recites the way in which they went about to do that, and it proceeds to say that the Commissioners are to investigate these charges, that is, the charges of bribery and conspiracy aforesaid, and any attempts to corrupt the members of the said Assembly, and all matters and things which in their judgment relate thereto or affect the same—the same having reference to what has preceded in the Commission. Now, there is no charge made, and none to be argued as against anyone except these five. There is no charge as against the Dominion Government. It is perfectly true that there was some evidence given, but that was simply to show that there were some means being used by these persons, and not beyond that. It is true that in the course of examination a great deal of latitude was given, but at present there is simply the charge against these five persons. There is no charge against the leader of the Opposition or his associates; no charge against the Dominion Government. It is not sought to be argued as against them, and unless the Commission be extended that cannot be gone into, and certainly not until at least something is formulated, upon which it may be known what the evidence is to be given for or against.

The CHAIRMAN.—We have already determined that if there are any charges to be made against other parties than those named they may be formulated or they may be made verbally and a note taken of them by the reporter, but the charge must be made upon which evidence is to be given. As to the other witnesses, any person present desiring to give exculpatory evidence can now do so.

Mr. MEREDITH.—In the event of additional charges, would the inquiry be prolonged to enable the evidence of the Attorney-General to be taken?

The CHAIRMAN.—Certainly, although it is difficult to say what time we would be able to take it up.

Mr. MEREDITH.—That I desire to formulate this charge: That members of the Government, Messrs. Fraser, Pardee, Hardy, and Mr. Mowat, knowing that attempts were being made to corrupt members of the House, induced members of the House to approach the persons who are said to have been engaged in this work for the purpose of inducing them to make corrupt offers, and to endeavour to entrap others not engaged in the matter into the same criminal acts.

The CHAIRMAN.—Any person present desirous of giving evidence can now do so.

Mr. ERMATINGER.—I would like to ask if I am discharged from further attendance on my subpoena?

The CHAIRMAN.—Certainly.

Mr. ERMATINGER.—There was some dispute as to which party called me, and I thought I would give every opportunity for my examination.

Mr. CASWELL.—Mr. Blake stated that the defendant had sent in Mr. Ermatinger's name; that is a mistake.

The CHAIRMAN.—He said he had subpoenaed him, as I understood.

Mr. CASWELL.—At our request, but that is a mistake.

Sir DAVID L. MACPHERSON, sworn.—I ask to see the Exhibit filed in the Court, said to be my letter to Mr. Wilkinson. (Exhibit shown witness). That is my letter, and I will state the circumstances under which it was written. It is dated the 1st of February, 1884. Mr. Wilkinson called upon me at my office at the Department of the Interior, and said he had been promised by Sir John Macdonald the appointment of Registrar in one of the Registration Districts in the North-West Territories; that he was very anxious to have that promise fulfilled, and came to me to ask me to have it completed—to recommend it. He asked specially to be appointed to the registrarship of Calgary. I told him that before I could give him any answer on the subject I must see Sir John Macdonald, and ascertain from him what he really had promised. I did not do that for some time—how many days I do not recollect. I should say that at that interview I told Mr. Wilkinson that the better way would be for himself to go to Sir John and obtain from him in writing a renewal of his promise, and to bring it to me. Mr. Wilkinson saw me a day, or two, or three afterwards at the Senate, and repeated his request to be appointed Registrar at Calgary. I asked him if he had brought the note I desired from Sir John Macdonald. He said he had not; that he hadn't seen Sir John; that he would rather not call upon him, as on the last occasion he saw him on the subject Sir John treated him with some curtness; he would rather not call upon him again, and he begged I would speak to Sir John on the subject, and remind him of the promise which Wilkinson alleged he had made to him. Mr. Wilkinson, I presume, left Ottawa, for I received two or three letters from him from Toronto urging me to give him his appointment, and I then received from him a telegram asking urgently for a reply to his letters. I replied by telegraph that I would reply to his letters when I had spoken to Sir John on the subject, which I had not done up to that time. I, however, did so very soon after that, and Sir John confirmed Mr. Wilkinson's statement as to the promise, and I wrote him this note, not promising him the registrarship of Calgary, which was the one he asked, but that for Edmonton; and it was to announce to him that I had determined to recommend him for that office

that the note was written. I do not know that there is anything more to say with regard to that. With regard to the statement which is to be found in Mr. Mowat's formal statement to the House of Assembly, in which he says: "That to secure the same corrupt object, the same Wilkinson and Bunting further offered and undertook that the said McKim should be appointed Registrar at Edmonton, in the North-West, with a salary of \$1,000 a year, and both the said Wilkinson and the said Bunting assured the said McKim that the Dominion Minister of the Interior had pledged to them his word that their said promise of the said office would be carried out." That is altogether unfounded in fact; there is not a tittle of truth in it.

The CHAIRMAN.—That is that you made such a promise?

The WITNESS.—Yes.

The CHAIRMAN.—Mr. Mowat does not say that you did, but that they had asserted that you had done so.

The WITNESS.—I think it is distinctly implied.

Mr. BLAKE.—No, no.

The WITNESS.—I made no such promise, and I do not think Mr. Mowat should have insinuated it without communicating with me.

The CHAIRMAN.—I don't think he insinuated it; it is merely that these men represented so.

The WITNESS.—I am glad your Lordship thinks so, but if you take this in connection with the statement in the House on the first occasion, I think you will admit that he attempted to connect me very distinctly with it. It is referred to in another place, not very distinctly, but distinctly enough to convey a very improper imputation, and that is in the Police Court. There seemed to be a design to resort to every means to connect me with these transactions.

The CHAIRMAN.—I understand you to say that there was no promise to give any registrarship to any person at Wilkinson's request.

The WITNESS.—No such promise. If you read the newspapers you will see the persistency and the malignity with which I have been attacked and maligned in regard to it. To the second statement I give the same denial. It is found in Mr. Mowat's statement to the House, in which he said that the said Wilkinson undertook that the said Balfour should be appointed by the Dominion Government to the registrarship at Regina, in the North-West. I say that Wilkinson had no authority whatever to make that statement. I need not tell your Lordships that such a thing was never heard of as that a note of this kind should be negotiable by endorsement. My attention has been called to it, and I state in the most unqualified manner that it was altogether unauthorized and unknown to me.

By Mr. BLAKE.—Q. Do you usually keep copies of the letters you write?

A. It depends on their nature. Official letters I do. Private letters I seldom do.

Q. You say that Wilkinson wrote several letters urging this appointment?

A. Yes.

Q. Did you bring those with you?

A. No; I do not keep such letters—private letters or letters of application for office.

Q. And those letters being such you destroyed them ?

A. Yes, I suppose so.

Q. Do you recollect destroying them ?

A. I think I do. I have no doubt whatever but I did, because it is my habit to do so. Some of them I remember distinctly destroying.

Q. You were further urged by telegram. Did you retain or destroy that ?

A. I destroyed it.

Q. You have no copies of the letters you wrote to Wilkinson ?

A. I never wrote a letter except that one.

Q. Simply by telegram ?

A. That is all.

Q. And you haven't the telegram ?

A. No ; it was simply saying that I would answer the letter after communicating with Sir John.

Q. Do you recollect the contents of Wilkinson's letter ?

A. Oh, yes ; they were asking for the office.

Q. Do you recollect as a matter of memory ?

A. I recollect the substance, the purport of them, not the words.

Q. Do you recollect if either of them specified the locality in which he desired the registrarship ?

A. I do not, but I have no doubt——

Q. I do not want a "no doubt." Was Wilkinson at any time employed in your department ?

A. Never, and he never drew a dollar of money from me.

Q. This time he approached you, you were head of that department ?

A. I was.

Q. And was the only reason you went to Sir John about it because of the statement of Wilkinson that Sir John had made him a promise ?

A. Yes, at the time Sir John was in the department.

Q. And it was to supplement or fulfil that promise ?

A. Yes.

Q. Had you ascertained that the promise had been made ?

A. Yes.

Q. The promise of any particular registrarship, or generally ?

A. The promise of a registrarship.

Q. That was not very definite. What was the reason you did not give him Calgary ?

A. I could hardly give you a reason for that.



Q. It could not be just general perversity ; he asked for Calgary ?

A. Well, the salaries are the same, but I decided to recommend the other.

Q. And to whom did you give Calgary ?

A. It has been given to Mr. Thomas A. McLean.

Q. But it was not given at that time ?

A. No.

Q. Has Edmonton yet been given ?

A. No.

Q. It is still open ?

A. Yes.

Q. For Wilkinson or somebody else ?

A. Yes.

JOHN CARNEGIE, sworn.—What I desire to answer are the following questions, which were put to myself in the Port Hope *Guide* of June the 21st last : “ Who drew up the round robin for the Government supporters to sign ? ” I never saw it and know nothing whatever about it. Never heard of it until it was produced in the Committee of the Legislature, and then only at some distance, it being in Mr. Fraser’s hand and I at some distance off. “ Who met Wilkinson, Meek, Bunting, and Lynch at noon in the Queen’s Hotel on the day the *exposé* was made in the House ? ” To the best of my knowledge I never met them in my life. I am sure I didn’t meet them on that day, or any one of them. “ Who got Kirkland a front seat in the Speaker’s Gallery, where he could witness the downfall of the Government ? ” I never saw him to my knowledge until I saw him at the police court, and then I didn’t recognize him as having seen him before ; therefore I didn’t get him a seat in the gallery of the House nor anyone else that evening. “ Who despatched a messenger to tell Lynch of the arrest of Kirkland and Wilkinson ? ” Most assuredly I did not. To me Lynch is a mysterious personage. Moreover, I didn’t leave my seat in the House from the time Mr. Mowat made his announcement until the House rose, nor did I send a message to any person. “ Who assisted in hiding H. H. Smith until the Committee on Privileges and Elections had reported to the House, lest he should be called on as a witness ? ” I did not. I did not see H. H. Smith for at least two or three days before the announcement made by Mr. Mowat, and I have not seen him since. I think those are the questions I am called on to answer there. Another thing I wish to deny emphatically is the statement made on the public platform by a representative of the Reform party that the conspiracy was hatched in Opposition caucus. I think I was present at them all, and I never heard the matter referred to in the most remote manner, good, bad, or indifferent. I perhaps may say that the only reference I heard to the matter at all or anything of the kind was in the beginning of the session, very early in the session, that Mr. McKim was likely to desert the Mowat party. I told the parties who made use of the expression that I would not trust McKim, from what I knew of him, across the street, having sat in the House with him from 1867 to 1871. This is the only connection I know of in the whole matter.

By Mr. BLAKE.—Q. Were you accused of these various things, or is it simply an accusing conscience ?

A. There is an article from the *Guide* attached to the letter.

Q. Yes, but it didn’t say that you did these things.

A. It asks me to answer them.



*Q.* Then it is simply your conscience accusing you. Are you editor of a paper?

*A.* I am connected with a paper.

*Q.* And you write for it?

*A.* Yes.

*Q.* As editor?

*A.* Yes, my articles appear as editorials.

*Q.* Evidently the *Eatonswell Gazette* is not on good terms with Mr. Potts?

*A.* It is the *Port Hope Guide*.

*Q.* Is the editor of the *Port Hope paper* going to be here?

*A.* I do not know.

*Q.* Do you know Mr. Wilkinson?

*A.* I met him frequently, naturally, when he was valuing the Credit Valley works.

*Q.* Did he ever assist you in your county?

*A.* He spoke at one meeting during my contest when I was absent. My friends sent for him.

*Q.* Did you see him during the session of the House?

*A.* I saw him once in the lobby of the Queen's Hotel, and I passed him I think once or twice on the street.

*Q.* Do you know Stimson?

*A.* No.

*Q.* Never saw him to your knowledge?

*A.* No.

*Q.* You repudiated him as Lynch, you know. Now I ask you do you know Stimson?

*A.* I never saw him that I am aware of.

*Q.* Do you remember when it was first suggested that a resolution should be brought in by the Opposition in regard to the timber policy?

*A.* No, I could not fix the date. I have nothing in my mind to fix it.

*Q.* Did you see the resolution itself?

*A.* No, I did not; it was only generally spoken of in caucus.

*Q.* Do you recollect the resolution itself being got up in caucus?

*A.* No, I do not.

*Q.* Do you recollect seeing it?

*A.* I never saw it, and do not know that one was actually prepared.

*Q.* Do you know where Wilkinson is now?

*A.* I do not.

DAVID CREIGHTON, sworn.

I understand I have been subpoenaed here on behalf of the Crown. I expected to have been questioned, and I fear it is rather embarrassing to question and answer one's self.

Mr. BLAKE.—Q. Could I help you in any way?

A. I am at your service.

By Mr. BLAKE.—Q. Do you edit a paper?

A. I do.

Q. Any accusations brought against you by the paper of the other village.

A. Yes, there have been lots of them.

Q. Did you answer them?

A. Do you mean accusations in connection with this matter?

Q. Yes.

A. There was one accusation.

Q. Would you like to answer it?

A. Yes.

Q. Then you may answer it.

A. If that is all you want to know, I will answer it. Perhaps I had better make my statement and answer it in the course of the statement.

The CHAIRMAN.—Just make a statement.

The WITNESS.—I wish to say with reference to this matter of attempts to bribe and corrupt members of the Legislature, that I have no knowledge whatever of any such attempts. During the early part of last session it was a matter of common talk that the Government had been greatly weakened by the election, that there were a number of members supposed to be on the Government side of the House who were weak, as it is usually called, and who might, if a coalition were formed, come over and support the coalition. I heard general talk of that kind in the early part of the session. That talk seemed to die away after a few days of the early part of the session, and I heard no more of it until I heard of the statement being made in the House by the Attorney-General. I was not told by anybody, nor do I know that any attempts were being made to bribe any members of the Legislature, either by promises of office or promises of money.

Mr. BLAKE.—I understood that the Commissioners were going to give an opportunity to any gentleman to make an answer to any accusation made against him.

The WITNESS.—I hope you will not allow the counsel for the Crown to prevent my making a statement. A general accusation has been made against the Opposition in the Local House by attempting to connect them with these matters.

The CHAIRMAN.—All you require to do is to exculpate yourself.

The WITNESS.—As a member of the Opposition. With reference to the Opposition caucus and the timber policy, I desire to say that I never knew there was such a person as the man named Kirkland until the statement made by the Attorney-General in the

House. Afterwards, when he was pointed out to me, I recognised him as having seen him round the House during the session. His name was never mentioned in the caucus of the Opposition until after the statement was made by the Attorney-General in the House. Reference to the timber policy of the Government first came up at a meeting of the Opposition previous to this matter having been stated by the Attorney-General in the House. It was brought up, if I recollect aright—and I think my recollection is pretty accurate on this point—it was brought up by Mr. Meredith, the leader of the Opposition, who introduced the question of the timber policy of the Government. He had ascertained that an Order-in-Council had been procured by the Commissioner of Crown Lands immediately prior to the last election, and had a copy of that Order-in-Council with him, which—I speak now of its general terms, because I have not a copy here—we understood to give the Commissioner of Crown Lands the power of disposing of timber limits on the North Shore of Lake Superior without putting them up to public competition, thus changing the avowed timber policy of the Government. That Order-in-Council we talked of in Opposition caucus. We believed it had been kept secret; at least no public announcement had been made of it. We believed that Order-in-Council had been passed for the purpose of enabling the Commissioner of Crown Lands to repay some of his friends for their political services, and the matter was brought up in the caucus in order that we might discuss that subject in the House. There were other matters in connection with the timber policy of the Government mentioned at that caucus. Another one was what we had discussed the session before in the House—the policy of disposing of timber limits after previously bringing the matter before the notice of the House. That was also the subject we talked of. A third was with reference to the free grant settler—a change which had been made in the Free Grant Act by the present Government, and a change we believe not to be in the interests of the settler. Those were the three subjects spoken of in connection with the timber policy, and I believe they were the only ones; and it was decided that a resolution should be drawn up—it hadn't been drawn up to that time—after getting the sense of the caucus upon it, embodying these in general terms so that when the matter came up for discussion we would be able to discuss it. There was no representation whatever of any attempt being made by outside parties to change the timber policy of the Ontario Government. I am positive on this point, because it is a matter I would have recollected if there had been such a thing. There was nothing which gave me to understand that there was a Mr. Kirkland or anyone else trying to change the timber policy of the Government, or any plot being got up in connection with it. The Opposition caucus had no reference to such plot in the resolution directed to be drawn. That resolution, I believe, was drawn up by Mr. Meredith after getting the sense of the caucus; and he showed it to myself and some other members of the Opposition after Mr. Mowat had made his statement to the House, and asked our advice as to whether in view of the circumstances it would be advisable to move that resolution. Our opinion generally was that a discussion on our resolution could not be got under the circumstances, because the moment the timber policy was mentioned the discussion would drift off to this matter of Kirkland and the matter of the conspiracy, and I understand that was the reason why Mr. Meredith did not eventually move that resolution. My name, I understand, has been mentioned by a witness who has previously given evidence at this Commission—Mr. McKim—and it was with reference to that that a statement was made in another paper in the Town of Owen Sound. They quoted the statement as it appeared in the public press of Mr. McKim's evidence before the Police Court, in which he is reported as stating that he got a letter from Wilkinson to deliver to Meek, that he called me out to the lobby of the House and gave the letter to me. A Reform paper in the Town of Owen Sound copied that and called on me to explain, making some contemptuous remarks in connection with it. I simply explained by saying that if Mr. McKim gave such evidence before the Police Court he was committing perjury. The facts in connection with it are, that sometime before the 17th of March, the date on which Mr. Mowat made his statement in the House, one of the pages of the House came to me in the evening—I do not recollect the exact evening—and said that Mr. McKim wished to see me in the lobby. I went out into the lobby known as the Speaker's lobby.

Mr. BLAKE.—There was no such evidence given here—nothing about a messenger.

Mr. MECK.—Yes, there was such evidence.

Mr. BLAKE.—Mr. Creighton is quite right ; it was given at the Police Court, but not here.

The CHAIRMAN.—I have no recollection of its being given here.

The WITNESS.—I was not present here throughout the evidence, and I wish to make a statement with reference to it.

The CHAIRMAN.—You can go on.

The WITNESS.—The boy having asked me to go to the lobby and see McKim, I went out to the lobby and found McKim there. When I went in he said to me—I am giving his words as near as I can recollect—"You know Mr. Meek, the lawyer, Mr. Creighton?" I said, "Yes." "Well," he said, "he is round the lobby somewhere, and I want to see him." The impression he conveyed of what he said was that he did not personally know Mr. Meek, and wished me to point him out. I said, "If he is around, I will find him for you." I walked round the Speaker's lobby to the one running across the rear of the House, and I looked down it but did not see him, and said so to McKim. He said, "Perhaps he is in the refreshment room ; you know him, and if he is there, ask him out." I went to the door of the refreshment room, opened it and looked in. I saw a number of persons there, and saw Mr. Meek sitting at one of the tables. I stepped over to where Mr. Meek was and said to him, "Mr. McKim wishes to see you in the lobby." He immediately came out. I will not be certain whether I said, "McKim wishes to see you" or "a gentleman wishes to see you," but I said one or the other. As we came out I saw McKim a few steps off in the lobby. I turned round to where he was and said to McKim, "There he is," introducing him in that way, and I left them together. That is all I know of that matter. He never gave me a letter, and I do not know whether he had a letter or not. I know not for what purpose he wished to see Mr. Meek. I had had no communication with Mr. Meek or any other person about attempts being made to corrupt members of the Legislature. These are all the facts, as far as I know them, to which my knowledge extends in connection with this matter.

By Mr. BLAKE.—Was there another gentleman by the name of Creighton in the Assembly at that time?

A. There was not.

Q. Then you were the gentleman they were going to make the Treasurer of without your knowledge?

A. I am not aware that they were going to make me Treasurer.

Q. You have heard it?

A. Yes, but I didn't know that hearsay evidence could be given here.

Q. Did you take any part in the contest in East Grey during the sitting of the House?

A. Yes.

Q. Do you remember stating there that the Government was going to be defeated ; that your knowledge was quite sufficient for you to say that?

A. No, I don't think I made the statement in that way.

Q. What is your recollection of the way in which you made it?

A. I think I stated in general terms that there was a probability of their being



defeated. I mentioned the fact that I believed Dowling was sitting there not legally a member of the House, and that was one to be taken off. I think I mentioned the fact that the supposed member for Algoma was not legally the member for Algoma, and was sitting there in defiance of law and everything else. I mentioned two or three facts in connection with that to show the precarious position of the Government.

Q. No other reason assigned ?

A. No.

Q. Are you sure ?

A. Certain ; if what Mr. Blake wants to get is that I had anything on my mind-----

Q. I want to know if you stated vaguely something beyond these, as reasons for predicting the downfall of the Government ?

A. I have no recollection.

Q. Would you swear positively that you did not, Mr. Creighton ?

A. Of course I was not taking any notes of what I was saying ; it was off-hand, but I had nothing present in my mind ; I may have stated in general terms that I believed we would defeat the Government, but I gave no specific reasons except those.

Q. But two members would scarcely have done it ; did you make a statement on the subject at all ?

A. I believe I did, but I have no distinct recollection of it ; if you say so, probably I did.

Q. I am informed that you stated that there was no doubt of the defeat of the Government, and that if they elected Mr. So-and-So he would be really a supporter of the Government before the session was over ?

A. I do not think I stated that.

Q. Something of that kind ?

A. I do not think I did.

Q. How strong do you not think so ?

A. I think it very strongly, because it was within two or three days of the end of the session at that time, and I had no idea at that time that before the end of the session the Government was going to be defeated, and I am not in the habit of making statements at public meetings that I do not believe myself.

Q. You sometimes make an exception, but that is your habit ?

A. No, I never make an exception.

Q. Well then, you never do it ?

A. I never do.

Q. Well, I am glad we have arrived at a perfect member at last ?

A. Not perfect, but truthful.

Q. Perhaps a truthful one ; I was paying you a higher compliment, but you should know best ; then in regard to the question of finally voting when they went into Supply—do you recollect that that was delayed four or five days ?

A. The final voting.



Q. They were going into Supply, and that was delayed from Wednesday or Thursday till Monday or Tuesday, at the request of Mr. Meredith; do you recollect that?

A. I do not recollect it.

Q. Was that the time you were in East Grey?

A. I was only absent from the House one afternoon, that afternoon being the one on which Mr. Mowat made his statement.

Q. Was that the time of the East Grey election?

A. That was the evening before the polling?

Q. The polling would be on Tuesday?

A. Yes.

Q. Do you recollect as to the postponing of the going into Committee of Supply from Wednesday or Thursday till the Monday?

A. No, I have no recollection, but there may have been a postponement.

Q. But you have no recollection of it?

A. No.

CHARLES HERBERT MACKINTOSH, sworn, stated:—

Your Honors,—I received this subpoena on Saturday last at Ottawa. It is the regular form of subpoena, to which is added: "and that you have with you, and produce to us, copies of all telegrams sent by you to, or received by you, from Christopher W. Bunting, J. A. Wilkinson, Frederick Stimson, one Lynch, Edward Meek, John Shields, or any of them during the months of February and March, 1883." I suppose that is intended for 1884. I beg to say, my Lord and your Honors, that I received no telegram from Mr. Bunting, Mr. Wilkinson, Mr. Stimson, Mr. Meek, or Mr. Shields, during those months, or at any time that I can remember. I sent none to them. I had no communication, direct or indirect with them, verbally, by letter or telegram. I had some telegrams from one Lynch, but they being of a personal character, and not connected at all with this case, could not possibly be the ones referred to, and I hope the Court will excuse me from producing them.

The CHAIRMAN.—You had telegrams, you say, from Lynch?

A. I had telegrams extending over some time from Lynch—W. Lynch; also one signed H. H. Lynch—a letter and some telegrams. I looked carefully through all my papers—copies of telegrams I keep regularly, both those I send and those I receive—and I have none in my possession, and to the best of my recollection I never had any; and I positively swear that I never had any from Mr. Bunting, or any of the persons mentioned, referring to anything that could be construed into an alleged attempt to corrupt members of the Provincial Legislature of Ontario. The only conversation I had with any of the gentlemen mentioned in the subpoena was one with Mr. Wilkinson, but that was in the early part of 1883. I was not very well acquainted with him. I met him on one or two occasions. I met him first in 1874, when he was canvassing for a newspaper, the *West Durham News*, which had what he called the Big Push letter in it. Subsequent to that I saw him, I think in June, 1883, when he asked me to use any influence I had and to urge Sir John to appoint him to the registrarship of Calgary, I think he said. He said he had the partial promise of Edmonton, but he would rather go to Calgary; and my impression is that I said that if he waited a while I thought he could get Calgary. I went and saw Sir John afterwards, and told him that Mr. Wilkinson was very anxious to get an office, and I think Sir John said he would look into it. That is the only interview I had subsequently with him, and it had no connection with the subject matter of this investigation.

The CHAIRMAN.—Is that all you desire to say?

A. Yes, my Lord. Those telegrams I suppose I am excused from producing. I will show them to you if you wish to see them (handing them to the Chairman). They refer to private business. They are altogether connected with the Province of Quebec, in the matter of some lands.

The CHAIRMAN.—Who is that Mr. Lynch?

A. It is the Hon. W. Lynch. I think he is now Commissioner of Crown Lands in Quebec.

Mr. BLAKE.—It is the witness's idea of a joke, my Lord. It is not the same Lynch at all.

WITNESS.—It is the only Lynch I am acquainted with, and as the names are not mentioned in the subpoena, I thought I had better bring these telegrams. The reason I brought them is not a joke, but I knew that if I came without them, the insinuation would be made as it usually is in the Opposition newspapers, that I purposely suppressed these documents. That is the reason I brought them—the only reason.

WILLIAM RALPH MEREDITH, sworn, stated :—

There are just one or two matters which have been mentioned, about which I desire to offer a word or two. Something has been said about the reason why the meetings of the Opposition caucus were held in the *Mail* buildings, and something has been said about persons other than members of the Opposition having been present. With regard to the latter statement, I wish to give it a most unqualified denial. At no time, at no place, was any person, except a member of the Opposition, present at any meeting of the Opposition. As to the reason why the meetings of the Opposition were held last session in the *Mail* buildings, for some time under Mr. Cameron's leadership, and after I acceded to the leadership of the party, we held our caucuses in the Parliament buildings. It was difficult to get a suitable room, and we thought, whether rightly or not, that we had not that privacy which was desirable, holding our meetings there. While the U. E. Club was in existence we went there; a room there was placed at our disposal. After that was closed, Mr. Bunting said that the library in connection with the *Mail* office would be placed at our disposal, a large room, and we were very glad to avail ourselves of his offer; and that was the reason, and the only reason, why the meetings were held there. A statement has also been made that at meetings of the party caucuses, the question of the defeat of the Government, and the question of the formation of a Coalition, were discussed. I wish to give that also a most unqualified denial. No such discussion took place at any time.

The CHAIRMAN.—You did not discuss the fall of the Government?

WITNESS.—No. We were always working for that, and would be very glad to see it come.

Mr. BLAKE.—Those two statements were never made by any witness.

WITNESS.—I saw it stated somewhere that caucuses were held from time to time, and that Mr. Wilkinson was communicating the result of these caucuses.

Mr. BLAKE.—But the statement that the question of a coalition was discussed was not made by any witness.

WITNESS.—Well, I desire to make that denial. Then I saw the statement that I went to Ottawa—I think by Mr. Dowling; and on each occasion he has strengthened it a little over his first statement. On the first occasion he said he believed, or thought, that I had gone to Ottawa, and had made arrangements to procure, by improper means, the defeat of the Government. Since that time I think the statement has been made a little stronger. I wish to give that an unqualified denial.

MR. BLAKE.—I do not think that Mr. Dowling made that statement.

WITNESS.—Well, he has insinuated it, and I wish to give it an unqualified denial. I never went to Ottawa, or communicated with Ottawa, directly or indirectly, with reference to the defeat of the Government, or with reference to any improper means for removing them from office. I did go to Ottawa on the night of the 23th of February, 1884. The circumstances under which I went were these: I had discussed with Mr. Morris the position into which we thought the affairs of the Province were drifting; that there was a conflict going on between the central authority and the Ontario Government, which must be injurious to the interests both of the Dominion and the Province. The conflict appeared to centre around the Boundary Question, the License Question, and the question of Jurisdiction over Railways. I discussed with Mr. Morris particularly the License Question, and the propriety of my going down to Ottawa, seeing that the Government of the day had a majority in the House, and that we could not hope to get rid of them and bring about a state of things we thought in the interest of the country; to go down to Ottawa and see what could be done with the view of the removal of these sources of friction. I sent this telegram to Mr. Carling, thinking that Sir John Macdonald might be engaged otherwise and could not see me—this was on Friday:—

“28th February, 1884. Important to prevent confusion, arrangements should be made with Ontario about License Law, pending decision as to jurisdiction. If I go down can I see Sir John on Saturday, with prospect of his agreeing to make Dominion Law same as Ontario pending decision, and giving licenses to those Ontario gives them.”

That is a copy I got from the telegraph office after the statement of Mr. Mowat on the 17th of March. I received a reply from Mr. Carling, which I have mislaid, but which I can probably send to the Commissioners later on, because I have no doubt I shall find it, in which he stated that Sir John would see me on Saturday, and to go there and dine with him, and we could talk the matter over afterwards. I left for Ottawa with a member of my family and a member of Mr. Carling's family on Friday evening, but owing to the snow blockade, we were unable to go through by Brockville, and went around by the Canada Atlantic Road. At all events we were delayed, and did not reach Ottawa until six o'clock on Sunday morning. I went with the ladies to Mr. Carling's house where I met Mr. Carling. Mr. Carling wanted me to stay over until the next day, as it was Sunday, and perhaps it would be better not to discuss these matters on Sunday. However, it was impossible for me to remain, and at my request Mr. Carling communicated with Sir John Macdonald, who said he would see me. I saw Sir John and discussed the three matters I have mentioned, with the view of bringing about some sort of concession on the part of the Dominion to avoid the friction which was taking place. That was the sole object of my visit. It had no connection, directly or indirectly, with the defeat of the Government by any of the means which have been the subject of this inquiry. No such means were discussed or suggested by anybody. I stayed with Mr. Carling and went to bed; I was in bed most of the afternoon. The same evening I left for Toronto, going on the ten o'clock train; while driving down in the cab with Mr. Carling, he mentioned that the Hon. Mr. Pope was ill, and asked me to step in and see him. I went and saw him for about five minutes, and discussed matters of general interest and his state of health, but nothing connected with the overthrow of the Government, and my visit down there had not the most remote connection with anything of that kind. That is the only occasion I visited Ottawa within a year probably of the time I have stated. Some statements have been made with reference to Mr. Kirkland and the Opposition policy on the timber question. I saw Mr. Kirkland, I think, probably in the second week of the session. He introduced himself to me as connected with large lumber interests in Michigan, or maybe Minnesota. He said his company was largely interested in mining in the territory north of Lake Superior; that they bought a large territory there, under the impression that they were getting with the land the timber that grew upon it. He explained to me that the Government was issuing timber licenses for large tracts of the territory covering these lands, the effect of which was to put into the hands of large



lumbermen the timber, and so prejudice the interests of those engaged in developing the mineral resources of the country in which he or his company was engaged. He explained to me the great dangers that would arise, in his view, from allowing that kind of thing to be done; in the destruction of timber from carelessness on the part of persons there, that would not exist if the land was divided up into smaller sections, and those interested in the development of the mineral resources had the timber as well. He mentioned that it was intended that a certain member of the House on the Government side should receive a very considerable section of timber limits for political expenses during the last campaign. He said there were seven members supporting the Government who were ready to vote against them on their timber policy. After hearing what Mr. Kirkland had to say, I told him that the Opposition could not support the change of policy which he advocated, which was the sale of the timber with the land, even though it would defeat the Government, unless we were satisfied that it would be in the interests of the Province. I promised that I would consider the matter, however, and told him that he could see me later on. I did consider the matter, and came to the conclusion that it would be impossible for the Opposition to adopt his views—such a radical change in the policy of the department. I communicated that to him. Upon that occasion, or subsequently, I won't speak with any certainty as to the time, he stated that he had abandoned the idea of that altogether, and what he wanted was to have an opportunity in the public market of competition with the lumbermen in the purchase of those limits. During this time I had ascertained by coming across the Order-in-Council regulating the disposition of timber limits, which had been ordered to be printed during the previous session, and which had not been printed owing to some mistake or other, that there had been an Order-in-Council passed, on the recommendation of the Commissioner of Crown Lands, in the month of December, 1882, which provided that, contrary to the ordinary rule of the department, in what is known as the Thunder Bay District north of Lake Superior, the timber limits—and no reasons were given—should not be disposed of by auction, and the power was given to the Commissioner of Crown Lands to grant timber limits without competition to persons giving such bonus as might be considered proper under the circumstances. It appeared to us that that was a very objectionable mode of proceeding, and it looked suspicious, as it was passed on the eve of an election, and it gave colour to the statement made by Mr. Kirkland that these limits were being made use of for party purposes. The Opposition met, and as is usual—I desire to say to the Commission that I make this statement now without admitting the right of anybody to inquire into what takes place in the caucus of a party, which, I submit, on public grounds should not be inquired into—but subject to taking that ground, I say that at this meeting of the Opposition, when the question of what line of attack we were going to take on the Government's policy during the session was discussed, the question of the timber came up. The position which the Opposition had taken in the previous election and as a result of their convention, was that the policy which the Government adopted of disposing of timber limits by auction at the will of the Government of the day without asking the sanction of the House, was not in the public interest. Our position was that no sales should take place without the Minister coming down to Parliament and obtaining its sanction to the sale taking place. The Opposition determined that that position should be re-affirmed. They determined that there had been injustice done to the settlers in the new districts, by permitting the lumbermen to take practically all the timber on the lands, and that the position of the Opposition on that subject should be reaffirmed, and that this Order-in-Council, by which the Government of the day assumed the control of the timber limits of the Thunder Bay District, should be attacked, as opposed to the development of that section of country. I say the Opposition determined on that, and I was asked to frame a motion, which I accordingly did, and this is the motion which was framed:—

“Mr. Meredith moves, seconded by the Hon. Mr. Morris, that all the words after the word ‘that’ be struck out, and the following substituted therefor: ‘This House disapproves of the Crown Lands and Timber Policy of the Government, which deprives the House of proper control over the disposal of the Crown timber reserves and timber of the Province as illiberal to actual settlers in the new districts, and calculated to retard the development of the mineral resources of the country.’”

That embraced the views of the Opposition as assented to in the caucus. That motion was not moved. The statement of Mr. Mowat was made on the 17th of March. On that night the House went into Committee of Supply. Now, from an observation of Mr. Blake, I do not know whether he quite apprehends the way in which that takes place. The Opposition has no control of that whatever. That takes place just at such moments as the Government of the day chooses. From the opening of the session, or at all events the making of the speech of the Finance Minister, the House is always ready to go into Supply, and the Government have at any moment the right to take the House into Supply. On the 17th of March this statement of Mr. Mowat was made. That was the first intimation which I had, directly or indirectly, that any attempt was being made or was said to have been made to use improper means to secure the defeat of the Government. The matter came to me as a great shock. It was two or three days—two days, I think—before the House went again into Committee of Supply. On that occasion no motion was made. As far as I was personally concerned myself I felt that what had taken place, if it were true, was so unjust, so unfair a thing to the Conservative Opposition in the House, who were endeavoring to conduct the contest fairly, and, as they thought, to success, that I almost felt as if I would not care longer to remain in public life. There was a meeting of the Opposition a few days afterwards, and, as Mr. Creighton has said, it was determined then that there could not be a proper discussion at that stage of the session, in view of these developments, of the question on its merits, and it was thought best that the motion should not be pressed. The matter was, however, left in my hands, to do whatever I thought best, and so the motion was not made. This is the whole history and the true statement in regard to that resolution. So far as Mr. Kirkland is concerned, he never, directly or indirectly, said or hinted anything that any honorable man might not say to another honorable man. His course seemed to be pursued on the ground that he had a large interest in the country. He would first like to see the policy changed, but, failing in that, he would like to see the Government which he thought was doing him an injustice defeated; but that any improper means were used there was no hint, no suspicion. I saw Mr. Kirkland again on the night the statement was made by Mr. Mowat in the House. On that occasion Mr. Kirkland came to my room at the Queen's Hotel. He brought with him a map of a large district north of Lake Superior, on which he had marked with a star the lots comprising several thousand acres which had been granted to Mr. Conway, and Mr. Thompson, who was a returning officer in the last election, granted under the Order-in-Council of December, 1882. He had also an unsigned contract by which these two gentlemen agreed to sell those timber limits, and agreed to use their influence with the Government to secure others. That they had agreed to, he said, but declined to put their names to it. That was near the hour of the meeting of the House, and Mr. Kirkland accompanied me to the House that evening, and I left him and went and took my seat. It has always struck me as strange that although Mr. Kirkland was arrested that same evening these documents were never produced. They were certainly in his possession, and were large and bulky documents. So far as any attempts to bribe, either by offers of office or money, or to induce improperly any member to vote against the Government, put forward by the Opposition, I desire to say for myself that I had no knowledge or suspicion of it, and I do not believe any member of the Opposition had either.

By Mr. BLAKE.—Q. Did Mr. Kirkland put in writing what his views were?

A. No, he did not.

Q. The only writing you had upon the subject was the resolution you yourself drew

A. Yes. I will tell you what he did—he wrote a letter to Mr. Keefer which Mr. Keefer showed me.

Q. Which Keefer was that?

A. Mr. T. A. Keefer.



Q. What had Mr. Keefer, do you know, to do with the matter?

A. Nothing whatever. He happened to be on the way to New York on some mining enterprises, he told me.

Q. And that is all you know about Mr. Keefer?

A. Yes.

Q. And that is the only thing you saw in writing developing Mr. Kirkland's ideas?

A. Yes.

Q. Then I understand the first view of Mr. Kirkland you thought was too subversive entirely of the mode of carrying on the Crown Lands Department, and you did not assent to it?

A. I do not mean to say that that policy might not be in the interest of the country, but it was too large a question for discussion at the time, and I could not take the responsibility of making a proposition for such a change.

Q. And he told you that for that resolution at all events he could get seven members to vote who ordinarily voted with Mr. Mowat?

A. No, he did not put it in that way. He said that seven members would vote for a resolution opposing their policy.

Q. That is to say, if I understand you aright, would vote for something like what Mr. Kirkland wanted you to adopt?

A. I understood they would go even further than that. He said certain members had gone to interview the Government and had been insulted by the Commissioner of Crown Lands, and that any resolution which would give them an excuse to vote against the Government they would support.

Q. That those men, who ordinarily supported the Government, would vote for a resolution on the timber policy that would attack the Government?

A. Yes.

Q. Then you understood that those seven men would vote for this resolution which you had prepared?

A. No, I never saw Mr. Kirkland on that resolution, and he did not know what resolution I had prepared.

Q. But you supposed that they would vote for this resolution?

A. Yes. I did not take very much stock in his statement. I heard their names, but I did not think it very likely that they would oppose the Government.

Q. But you prepared the resolution?

A. The resolution had been prepared and agreed to, attacking the timber policy of the Government long before this talk with Mr. Kirkland, in accordance with our ante-election promises.

Q. When was that determined upon?

A. Early in the session. I do not know that it was at any formal caucus.

Q. I was just going to ask you what caucus, if any, do you recollect that motion was brought before and discussed?

A. I think the caucus I have referred to in detail must have been pretty well on in the middle of the session, I cannot fix the exact time.

Q. As to the Committee of Supply, what I did suggest was this, that although the Government had the opportunity of taking the House into Supply when it pleased, yet ordinarily it was an understanding between the Government and the Opposition when the House should go into Supply?

A. That is very often so.

Q. And what I did want to get at was whether there was an understanding between yourself and the Attorney-General that this motion should be deferred from day to day, and that upon that there was a deferring of going into Supply?

A. I do not recollect that taking place.

Q. You do not recollect on Thursday or Friday asking the Attorney-General whether he would go into Supply the next day, and asking it to be deferred, and then on the next day asking again that it should be deferred?

A. No, I do not. I recollect this taking place—I asked the Government whether they were going on with their forty years' annuity arrangement, because if they were not, I intended to move on going into Supply, and I understood that every opportunity would be given to the Opposition to formulate any attack on the Government policy.

Q. And that gives you the opportunity?

A. Of moving when no amendment can be moved.

Q. And that is the opportunity ordinarily taken advantage of for moving such resolutions as you desired to move?

A. Certainly.

Q. What were the papers that you thought Mr. Kirkland should have?

A. One was a large plan of a district north of Lake Superior, upon which he had marked with a star the lots for which licenses were granted to Mr. Conway, and the other was a contract unsigned between him and Conway and Thompson for the purchase of that timber limit. It seemed to me extraordinary that such large papers could have been got rid of.

Q. Do you know this man Stimson or Lynch?

A. I never saw him or heard of him until this matter.

Q. You had known Wilkinson, I believe, some time before?

A. Yes.

Q. How long had you known him?

A. I think the first time I met him and made his acquaintance was when he was canvassing for the *West Durham News* five or six years ago. He was starting a paper in the West Riding of Durham called the *Durham News*, and was getting subscriptions for it.

Q. Did you see him in either of the Middlesexes?

A. West Middlesex—I saw him there.

Q. And he was busily engaged, I believe?

A. Yes, he was addressing public meetings in the interest of the Conservative party.

Q. You were aware of his having been in other constituencies?

A. I was not there myself, but no doubt he was. I know he has been in Muskoka and Algoma.

Q. He has been for five or six years an active supporter of the Conservative party?  
 A. He has, and I thought, an honest one.

Q. Politically honest, or absolutely honest?  
 A. I won't make that distinction.

Q. The resolution seems to cover a good deal of ground?

A. We endeavour to cover as much ground as possible in as small a space as possible.

Q. What is the meaning of that last phrase, "calculated to retard the development of the mineral resources of the country?"

A. That just means this, that if the Government gave to their political supporters timber licenses, it was not in the interest of those developing the mines.

Q. And was Mr. Kirkland interested in the mineral resources of the country?

A. So I understood.

Q. And that would be comforting to him?

A. I do not know whether it would or not. It would not have succeeded in changing the policy of the Government, I am afraid.

Q. Then it was not thought advisable, as Mr. Broder and Mr. Merrick said, to press this resolution, and as a matter of fact it was not pressed?

A. It was not.

Q. Will you just allow me to say with what pleasure I have listened to your explanation, and personally I believe your statement to be correct?

A. Thank you.

By Mr. CASWELL.—Q. In these statements, you say, Mr. Kirkland spoke just as an honourable gentleman would?

A. Exactly.

Q. He endeavoured to convert you to his views?

A. I would not put it so strongly as that. He just laid his views before me, and wished me if I could to support them.

Q. Did he say that supporters of the Government would come over to you?

A. No, he did not. On one occasion a remark of this kind was made—he said a prominent supporter of the Government, whose name I shall not mention now, said that if I would move a resolution in the direction that he wished to go, and would follow it up by a temperate speech, I would be surprised to see how many supporters of the Government would vote in favour of it. It struck me, in view of developments, that that was just to catch me in the trap they were endeavouring to lay.

Q. In that later interview, when you told him you would not support his views, did you tell him that you were going to introduce some resolution?

A. I did not tell him about a resolution, but of course he would infer that. I told him there was a portion of the policy of the Government that we were determined to attack.

Q. Did he seem anxious to have a discussion on the matter?

A. Oh, yes. He seemed to be a very shrewd business man, but seemed to feel strongly that the policy he urged was in the interest of the country as well as in the interest of the persons engaged in the mineral operations.

Q. Then he was anxious to have a discussion?

A. Oh, certainly.

ALEXANDER MORRIS, sworn, stated:—

Your Lordship and your Honors, my statement will be a very brief one. I will only speak as to two leading points mentioned by my leader, Mr. Meredith, beside whom I have had the privilege of sitting for the last five years. I preface my remarks by stating that I knew nothing of any attempt, direct or indirect, to influence corruptly any member on the Government side of the House. I would have shrunk from anything of the kind, and as Mr. Meredith has said, when the statement was made in the House, it struck me as I believe it struck every member sitting with me in the Conservative ranks, with astonishment, and with a feeling of pain that it was possible that what is common in the country alongside of us, should ever have found its way into the Legislative Assembly of Ontario. I felt a desire that the matter be probed to the very bottom, and I was a member of the Special Committee on Privileges and Elections, along with Mr. Mowat, Mr. Fraser, Mr. Badgerow, and Mr. Meredith, who were appointed to consider the matter, and advised that it should be probed thoroughly, so that once and forever a stop might be put to such practices. That Committee recommended the course which placed you in the position you occupy to-day, and the unanimous recommendation of these five men was adopted by the General Committee, and subsequently by the House, and ratified by an Act of Parliament. That is all I have to say on that matter. The other point is simply this, that I have to corroborate what my friend Mr. Meredith has stated with regard to his visit to Ottawa. From, I presume, my long services of 23 years in public life, I have enjoyed the confidence of the gentlemen who have worked with us in the House, though I may go further and say that I have been favored with the friendship of many of our opponents. I felt, and I feel it very strongly, that there was great danger in the friction that had arisen between the Province of Ontario and the Dominion of Canada, that there were irritating questions coming before the House and the country, and I felt the danger of the leading Province being placed in that position of antagonism to the Dominion Government, or if you choose, the Dominion Government being in a position of antagonism to the Province. I thought for the good of the country it would be desirable if by any means an understanding could be come to between the two Governments, so as to remove the friction. In that sense I supported the reference to the Privy Council of the Boundary Award. Mr. Meredith discussed the position, and it was agreed that he should go to Ottawa and see if the Dominion Government would meet the Ontario Government half way, and let us have peace in the country. Mr. Meredith went there to my knowledge, and that is all I have to say with regard to that. The question of his going there for the purpose of influencing any member of the House, for the purpose of obtaining the influence of any member of the Dominion House, was not thought of or suggested in any such connection. That is all I have to say on that head. I ask to see this resolution of Mr. Meredith's, because it bears my initials. Mr. Meredith had consulted with me, as he is in the habit of doing on many questions, with regard to our timber policy, and he brought it subsequently, as he has stated, before the meeting of the caucus. He had so fully explained what took place there that I need not go into that question. I may say he informed me that Mr. Kirkland had called upon him. He informed me that Mr. Kirkland had represented that he had purchased a large tract of land, if I recollect aright, and that he found that he had not, as in his own country, acquired the timber with it. I thought he was desirous, if possible, of getting the timber with the land, but he complained that the Government had given the timber to some lumbermen. Mr. Meredith had considered the matter, and he informed me that he had told Mr. Kirkland that he could not adopt his views, that the question was a very large and grave one,



and that he was not in a position of moving in the direction of his views. That is all I have to say in regard to that matter. On the morning that I was examined in the Police Court, I stated there what was the fact, that I had never seen Mr. Kirkland until I saw him in the Court room. I was asked if I had ever seen Mr. Wilkinson. I made the same statement in answer to that. I saw him in the Court room ; a gentleman told me that it was Mr. Wilkinson, and then I recollected that I had seen him a year before in the Queen's Hotel. I was asked if I had conferred with and taken the advice of Mr. Wilkinson, Mr. Meek, Mr. Bunting, or Mr. Shields, with regard to the timber policy. I said emphatically not, that it was a matter decided on solely by the Opposition in private caucus, and adopted from the pure and only motive, that we believed it was in the interest of the country. That is all, I think, that I require to state in regard to this matter. I would like simply to state that this resolution is the resolution that was to have been moved, and I identify it as having been approved by me, and it is verified by my signature.

Mr. JOHN SHIELDS here rose and stated that he had been subpoenaed by Mr. Johnston, and asked if he was to be examined.

The CHAIRMAN.—You can make any statement you wish to make.

Mr. SHIELDS.—I am their witness ; they subpoenaed me, and I am prepared to go into the box if they want me. Otherwise the subpoena should be discharged.

The CHAIRMAN.—If no one desires to examine you, we will not detain you any longer.

The Commission adjourned till Thursday, the 2nd of October, at 10 a.m.











